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Class Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE COLLEGE ATHLETE NIL
LITIGATION

Case No. 4:20-cv-03919 CW

**DECLARATION OF STEVE W. BERMAN IN
SUPPORT OF PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES, REIMBURSEMENT
OF LITIGATION EXPENSES, AND
SERVICE AWARDS FOR CLASS
REPRESENTATIVES**

Hrg. Date: April 7, 2025
Time: 10:00 a.m.
Judge: Hon. Claudia Wilken
Courtroom: 2, 4th Floor

1 I, STEVE W. BERMAN, declare as follows:

2 1. I am an attorney duly licensed to practice law before this Court. I am a member of the
3 Washington Bar, and I have been admitted to this Court *pro hac vice*. I am the managing partner of
4 Hagens Berman Sobol Shapiro LLP (“Hagens Berman”) and counsel for Plaintiffs (“Plaintiffs”).
5 Hagens Berman, alongside Winston & Strawn LLP (“Winston & Strawn”), are counsel of record for
6 the Plaintiffs in this matter, having been appointed Co-Lead Class Counsel (“Co-Lead Class
7 Counsel”) for the certified damages and injunctive relief Classes by this Court. ECF No. 387 at 52;
8 ECF No. 323 at 10. Co-Lead Class Counsel worked alongside Spector, Roseman & Kodroff, P.C.
9 (“Spector Roseman”), who as counsel for Plaintiff Tymir Oliver has been supporting counsel in this
10 litigation. Hagens Berman, Winston & Strawn, and Spector Roseman are collectively referred to
11 herein as “Class Counsel.” Unless otherwise noted, all subsequent ECF references are to this case.

12 2. As explained in more detail *infra*, Hagens Berman filed *House v. NCAA* on June 15,
13 2020. Shortly thereafter, on July 8, 2020, Spector Roseman filed the complaint in *Oliver v. NCAA*,
14 alleging claims and a proposed class substantially similar to those in *House*. On July 19, 2021,
15 Winston & Strawn joined the litigation as co-counsel for Plaintiffs and the cases were subsequently
16 consolidated as *In re College Athlete NIL Litigation*. ECF No. 154. On December 7, 2023, Hagens
17 Berman and Winston & Strawn filed *Carter v. NCAA*, No. 3:23-cv-06325-RS (N.D. Cal.). On July
18 26, 2024, the *Carter* claims were consolidated into the operative Second Amended Complaint in this
19 action. ECF No. 448. Class Counsel subsequently filed the Third Consolidated Amended Class
20 Action Complaint (ECF No. 448-1), which is the operative complaint in this action. *See* ECF No.
21 543. These cases are referred to herein collectively as “*College Athlete NIL Litigation*” or “this
22 action.”

23 3. I submit this declaration in support of the Plaintiffs’ Motion for Attorneys’ Fees,
24 Reimbursement of Litigation Expenses, and Service Awards for Class Representatives in this action
25 (“Motion”). The purpose of this declaration is to summarize and provide detailed documentation of:
26 (a) this action; (b) the work performed by Class Counsel; (c) the time and fees incurred by Class
27 Counsel in prosecuting this action; (d) the costs and expenses for which Class Counsel seek

1 reimbursement, including the costs and expenses from the Litigation Fund, which Class Counsel
2 funded; (e) the steps Class Counsel employed to ensure effective management of this complex
3 litigation; and (f) the work performed by the class representatives in support of this action.

4 4. In addition to this declaration, Jeffrey Kessler and Jeffrey Kodroff submitted
5 individual declarations on behalf of their respective firms, Winston & Strawn and Spector Roseman,
6 in support of this Motion. In this declaration, these individual declarations, which are submitted
7 concurrently herewith, are referred to as the “Kessler Decl.” and “Kodroff Decl.”

8 5. Class Counsel has prosecuted this action solely on a contingent-fee basis, without the
9 use of outside funders, with no upfront retainer fees or allowance for expenses, and has been at risk
10 of not receiving compensation for prosecuting the claims against the Defendants. These attorneys and
11 their firms devoted substantial time and resources to this matter, and have foregone other legal work
12 for which they otherwise would have been compensated.

13 **I. BACKGROUND**

14 **A. Overview of Work Undertaken by Class Counsel**

15 6. The settlement achieved in this case represents the culmination of more than four
16 years of hard-fought litigation, including extensive motion practice and discovery, and considerable
17 time, effort, and skill from Class Counsel. The litigation was also part of an extensive campaign over
18 the course of more than a decade, led in substantial part by Class Counsel, challenging Defendants’
19 anticompetitive rules, including their compensation rules that have deprived college athletes for
20 decades of their fair share of the billions of dollars made from college sports. One prominent example
21 is the lengthy litigation in *Alston*, where the injunctive relief obtained by Class Counsel was
22 ultimately affirmed unanimously by the Supreme Court.

23 7. In this litigation, Class Counsel have devoted significant resources to prosecuting the
24 case against vigorous opposition by powerful, well-funded defendants who were represented by more
25 than a dozen of the best law firms in the world. A detailed description of the work performed by each
26 firm seeking fees and reimbursement of expenses is set forth herein and in the Declaration of Jeffrey
27 A. Kessler, concurrently submitted herewith.

8. Hagens Berman pioneered the investigation and filing of this litigation. Hagens Berman began investigating this case nearly a year before filing a complaint, before college athletes achieved a historic Supreme Court victory in *Alston*. These time-intensive pre-suit efforts included:

- Researching the commercial landscape surrounding Division I college athletics, along with the relationships between the NCAA, Conference Defendants, member schools, and their business partners;
- Analyzing legal theories and prospective remedies;
- Consulting with experts to discuss various issues that would be presented in the case, including relevant markets and less restrictive alternatives;
- Reviewing public information and statements from Defendants and their member institutions;
- Interviewing college athletes and prospective named plaintiffs; and
- Conferring with advocacy groups and other college sports stakeholders to seek their advice on the litigation.

9. After completing this extensive preparation and due diligence, Hagens Berman filed the initial complaint in *House v. NCAA* on June 15, 2020. Shortly thereafter, on July 8, 2020, Spector Roseman filed the complaint in *Oliver v. NCAA* alleging claims and a proposed class substantially similar to those in *House*. This Court subsequently related *Oliver* to *House*. ECF No. 92. On July 19, 2021, Winston & Strawn joined the litigation as co-counsel for Plaintiffs and the cases were subsequently consolidated as *In re College Athlete NIL Litigation*. ECF No. 154.

10. On September 11, 2020, Defendants moved to dismiss both cases, arguing primarily that Plaintiffs' claims were barred by this Court's prior decisions in *O'Bannon* and *Alston* under the doctrine of *stare decisis*. ECF No. 101. Defendants also advanced several different arguments that Plaintiffs' proposed "Group Licensing Damages Subclass" should be dismissed, and further moved for dismissal of Plaintiff Oliver's claims for lack of standing. Plaintiffs vigorously opposed dismissal, filing a detailed brief and presenting oral arguments addressing each of the complex issues raised in

1 Defendants' motion. ECF No. 102.

2 11. On January 15, 2021, while their motion to dismiss was still pending, Defendants filed
3 a motion to stay discovery in *House* and *Oliver* pending the Supreme Court's decision in *Alston*. ECF
4 No. 138. Plaintiffs again opposed this motion, arguing that a stay would "delay any injunctive relief,
5 harming Plaintiffs and the putative class." ECF No. 142 at 2-3. Class Counsel's efforts were
6 successful and, on February 25, 2021, the Court denied Defendants' motion and allowed discovery to
7 proceed. ECF No. 149. On June 21, 2021, the Supreme Court issued its opinion in *Alston*, upholding
8 this Court's ruling in favor of the college athlete plaintiffs in a unanimous 9-0 decision. *NCAA v.*
9 *Alston*, 141 S. Ct. 2141 (2021). Three days later, on June 24, 2021, this Court denied Defendants'
10 motion to dismiss the *House* and *Oliver* cases except as to a narrow issue specific to Plaintiff Oliver's
11 injunctive relief claims, which Plaintiffs did not oppose. ECF No. 152. Immediately following these
12 early victories in this case, on July 1, 2021, the NCAA changed its rules to allow college athletes to
13 earn at least certain types of NIL compensation from third parties for the first time ever. Although the
14 NCAA described this rule change as an "interim" policy and it certainly did not eliminate all of
15 Defendants' NIL rules, it was a monumental achievement that has revolutionized college sports and
16 immensely benefitted college athletes by creating a thriving nine-figure NIL market.

17 12. On July 19, 2021, Winston & Strawn joined the litigation as co-counsel for Plaintiffs
18 and the cases were subsequently consolidated as *In re College Athlete NIL Litigation*. ECF No. 154.
19 Plaintiffs filed a Consolidated Amended Complaint on July 26, 2021. ECF No. 164. Throughout the
20 litigation, Class Counsel collaborated to decrease duplication of effort and increase case efficiency.
21 To lay the groundwork for discovery, Class Counsel negotiated a set of detailed protocols with
22 minimal court intervention, including ESI Protocols (ECF No. 132), Expert Discovery Protocols
23 (ECF Nos. 131, 214, 260, 261, 262), Deposition Protocols and amendments thereto (ECF Nos. 213,
24 224), and Protective Orders and amendments thereto (ECF Nos. 137, 148, 181). This included
25 negotiating a protective order with complex provisions regarding the treatment of network strictly
26 confidential information, which required involving numerous third-party broadcasters, given the
27 highly confidential nature of this information that was necessary to the case.

1 **1. Class Counsel Obtained Substantial Discovery on Behalf of the Settlement**
 2 **Classes.**

3 13. Often over Defendants' objections and the objections of scores of third parties, Class
 4 Counsel succeeded in obtaining broad discovery and devoted substantial resources to analyzing the
 5 complex information produced for both class certification and merits analysis.

6 **a. Written and Document Discovery**

7 14. Class Counsel propounded detailed written discovery, including 79 document
 8 requests (in four sets) and five interrogatories on all six Defendants.

9 15. The parties' discovery requests generated a large discovery record that Class Counsel
 10 analyzed to develop their claims. For example, in response to Plaintiffs' interrogatories, Defendants
 11 produced around 125 pages of supplemental responses, including the SEC's supplemental response
 12 that listed over 250 bates-numbered documents in response to a single interrogatory. Defendants
 13 ultimately produced 190,938 documents and 1,627,031 pages of documents, carefully reviewed by
 14 document review teams of Hagens Berman and Winston & Strawn. Few, if any, of these discovery
 15 requests were uncontested; therefore, responses and productions occurred after multiple rounds of
 16 telephonic and written meet-and-confer communications, including negotiations surrounding search
 17 terms, names of custodians, scope, redactions, and privilege arguments, which spanned multiple
 18 years. These document productions were in addition to the hundreds of thousands of documents
 19 produced in previous-related cases, including *Alston*, that were deemed produced in this case and
 20 make up a large portion of the discovery record that Class Counsel and their experts had at their
 21 disposal and relied on at class certification and for the merits. ECF No. 137.

22 16. Defendants' productions included complex and highly confidential licensing contracts
 23 with broadcast networks that required notifying and conferring with multiple third parties before
 24 production. As the litigation progressed, this also required production of recently announced
 25 broadcast agreements that were highly sensitive and confidential. Other important documents such as
 26 each Defendants' confidential financial data that were essential for class certification and any
 27 damages analysis were also produced.

1 17. Class Counsel also worked with the named plaintiffs to gather information and
2 documents responsive to extensive discovery propounded by Defendants. Unlike some class cases
3 where plaintiff-side discovery receives limited attention, the class representatives here were a
4 significant focus in the case because of their successful athletic careers, NIL value, and previous
5 public statements regarding NCAA policies. Defendants' discovery requests were thus far more
6 substantive and consequential. For example, two named plaintiffs had to produce all communications
7 related to their NIL value over multiple years. Defendants served 28 document requests and 14
8 interrogatories each on three of the named plaintiffs.

9 18. Finally, Class Counsel also completed discovery-related briefing to effectively address
10 the Defendants' supplemental initial disclosures—identifying 37 new witnesses with limited time
11 before fact discovery closed. ECF No. 372-2. Plaintiffs received an extension to the fact discovery
12 deadline to depose a number of these individuals and did so. ECF No. 374.

13 **2. Individual and 30(b)(6) Depositions**

14 19. Class Counsel also pursued and conducted 40 fact depositions in this litigation, with
15 979 exhibits introduced by Plaintiffs at these depositions. The deponents questioned by Plaintiffs'
16 counsel included the former president of the NCAA, current and former commissioners of each of the
17 Conference Defendants, college athletic directors and coaches, and numerous other university
18 representatives. Plaintiffs also issued 30(b)(6) deposition notices to each of the six Defendants, with
19 each having at least 20 topics. Defendants chose to spread these topics over several witnesses, so
20 Class Counsel questioned these witnesses as individuals as well as corporate representatives of
21 Defendants. Plaintiffs also prepared extensively for, and defended, three class representative
22 depositions. To maximize class recovery and minimize costs, Class Counsel used a lean team to take
23 depositions and execute all other projects.

24 **3. Class Counsel Engaged in Critical, Extensive Third-Party Discovery**

25 20. Once the NCAA implemented new NIL rules on July 1, 2021, hundreds of third
26 parties immediately became involved in monitoring and valuing college athlete NIL. This created an
27 unprecedented "natural experiment" mirroring Plaintiffs' but-for world, and therefore crucial to

1 document for class certification, expert reports, and merits arguments in the litigation.

2 21. NCAA Division I member schools alone accounted for over 300 new NIL databases
3 where athletes reported third-party NIL deals. These schools and other third parties were not named
4 as Defendants and required subpoenas to acquire this data that would be a foundation for damages
5 models. Class Counsel served over 150 third-party subpoenas on NCAA member schools, each of
6 whom had their own internal or external counsel requiring separate negotiations for each school.
7 Negotiations took place over many months, including delays and resources dedicated to FERPA
8 notifications prior to production. Many of these negotiations were protracted and painstaking. In two
9 instances, counsel secured documents only after successfully moving to compel. *See* Agreed Order
10 on Petitioners' Motion to Compel Compliance with Rule 45 Subpoena, *House v. Florida*
11 *International University*, No. 22-MC-20214-DPG, (S.D. Fla. Sept. 2, 2022), ECF No. 29. That
12 success afforded Class Counsel greater leverage to secure critical documents from other schools that
13 initially refused to comply with Plaintiffs' subpoenas, either in whole or in substantial part.

14 22. Class Counsel additionally negotiated supplemental productions of NIL deal data for a
15 second academic year with each school, and 70 of those schools required second subpoenas. The NIL
16 deals produced over two years by schools, and other third parties, formed a substantive database that
17 Plaintiffs' experts relied on for damages modeling at class certification and the merits stage of the
18 case.

19 23. Additionally, Class Counsel subpoenaed over 26 third-party companies who
20 previously or were currently involved in deals with college athletes and/or Defendants, and eight
21 professional leagues and professional player associations to acquire pivotal licensing rates, revenue
22 assessments, contractual agreements, and other necessary information for Plaintiffs' expert reports.
23 Each of these third parties had separate counsel, separate requests, and required sustained negotiation.
24 Class Counsel was able to reach agreements with nearly all third parties, as well as with Defendants
25 to stipulate to new confidentiality levels in the Protective Order and third-party productions between
26 parties. ECF Nos. 177, 180.

27 24. Class Counsel, in addition to written discovery, spent considerable time and resources

deposing third parties as well. These third parties included individuals with high profiles in the world of college sports, including Jim Harbaugh, Oliver Luck, Brett Rocky Harris, Frank Busch, and specific school representatives from Michigan State University and the University of Oregon.

4. Class Certification

25. Plaintiffs achieved unprecedented success in this litigation by obtaining class certification of an injunctive relief class and three large damages classes. In previous cases challenging NCAA compensation rules, such as in *O'Bannon*, certification of damages classes was denied. *See In re NCAA Student-Athletes Name & Likeness Licensing Litig.*, 2013 WL 5979327, at *10 (N.D. Cal. Nov. 8, 2013).¹ In certifying the damages classes here, the Court found Plaintiffs' experts' classwide damages methodology for three types of damages—NIL broadcast damages, NIL videogame damages, and individual lost opportunity NIL damages—none of which had ever been certified before, and which totaled billions of dollars in potential damages, to be reliable, placing enormous pressure on Defendants to settle. Due to this pressure, Defendants asked the Ninth Circuit to grant 23(f) interlocutory review of the class certification order, which Plaintiffs opposed and the Ninth Circuit denied.

26. The class certification victory came only after extensive briefing and expert work, which was particularly challenging here because of the previous failed attempts to have damages classes certified and the challenges in showing that the Rule 23 requirements were satisfied for the novel damages claims presented. To support class certification, Class Counsel worked close with prominent testifying experts, including sports economist, Daniel Rascher, and industry broadcasting expert, Ed Desser, whose work was seminal to Plaintiffs' claim for Broadcast NIL damages. Mr. Desser's testimony was essential in part due to the unique nature of Defendants' rules during the class period that prohibited pay-for-performance and direct payments for NIL, and Plaintiffs' claim

¹ *See also Rock v. Nat'l Collegiate Athletic Ass'n*, 2016 WL 1270087, at *14 (S.D. Ind. Mar. 31, 2016) (class certification denied to a class of athletes challenging limits on the number and duration of athletic scholarships); *In re NCAA I-A Walk-On Football Players Litigation*, 2006 WL 1207915, at *1, *3, *15 (W.D. Wash. May 3, 2006) (class certification denied in class action challenging the NCAA's scholarship limits).

1 that damages for denial of broadcast NIL payments could be quantified.

2 27. Defendants opposed class certification with more than a dozen fact declarations and
3 three experts, including Harvard University professor Catherine Tucker, industry broadcasting expert
4 Bob Thompson, and University of North California professor Barbara Osborne. In total, the class
5 certification expert reports supporting Plaintiffs' and Defendants' briefing totaled 1009 pages,
6 exclusive of backups. The class certification briefing included not only the motion for class
7 certification, an opposition, and a reply, but also supplemental class certification briefs (ECF Nos.
8 332, 335), as well as *Daubert* motions by both sides. All the parties' respective class certification
9 experts were deposed. Professor Rascher was deposed twice. *See* ECF Nos. 303, 307, 308.

10 28. In achieving their class certification victory, Class Counsel successfully opposed
11 Defendants' *Daubert* Motion of Mr. Desser, whose testimony was seminal to the claim for Broadcast
12 NIL damages. Additionally, based on Plaintiffs' motion and Class Counsel's deposition of Professor
13 Osborne, the Court struck Professor Osborne's class certification opinions in their entirety. ECF No.
14 385. Following certification of the litigation classes, Plaintiffs completed notice to the classes. *See*
15 ECF Nos. 402, 404-407.

16 **5. Merits Discovery and Expert Reports, Followed by Summary Judgment**

17 29. After class certification and the close of discovery, the parties proceeded to multiple
18 rounds of merits briefing and discovery, including 15 separate merits experts reports that totaled over
19 1800 pages, requiring significant time and resources in a short timeframe of five months.

20 30. To effectively anticipate and defend against Defendants' merits arguments, Class
21 Counsel expended necessary resources to retain two additional merits experts to address the proffered
22 procompetitive justifications and procompetitive effects put forth by the Defendants, such as the
23 impact on consumer viewership and attendance and the decrease of compensation to a broader set of
24 college athletes. Plaintiffs' experts were also required to respond to five separate merits rebuttal
25 reports filed by Defendants—alone totaling over 579 pages.

26 31. The extensive expert reports and discovery in this action led to each party deposing
27 multiple experts in March 2024 prior to summary judgment briefing and the close of expert

1 discovery. Between March 5 and March 27, 2024, Class Counsel deposed five of Defendants' merits
2 experts and defended four of Plaintiffs' own merits experts' depositions. This testimony, and the
3 expert reports themselves, were then used extensively in Class Counsel's motion for partial summary
4 judgment on Section 1 liability, based on the argument that evidence was undisputed that Defendants
5 maintained a restriction to fix NIL compensation, there were no procompetitive benefits to this
6 restriction, and that there were less restrictive alternatives. *See e.g.*, ECF No. 415, Exs. 1-10. The
7 motion also incorporated extensive factual discovery Class Counsel obtained. Plaintiffs also
8 dedicated significant briefing to move to exclude portions of Defendants' affirmative merits experts'
9 testimony.

10 32. These motions were filed on April 3, 2024, less than two months prior to notice of the
11 pending settlement agreement, evidence of Class Counsel's vigorous representation at every stage of
12 the litigation.

13 **6. Carter**

14 33. On December 7, 2023, *House* plaintiff Sedona Prince and two other current college
15 athletes, DeWayne Carter and Nya Harrison, filed *Carter v. NCAA*, No. 3:23-cv-06325-RS (N.D.
16 Cal.), renewing the challenge against the NCAA's prohibition on compensation for athletic services
17 that began with *Alston*. Class Counsel had conducted extensive discovery regarding the NCAA's
18 restrictions on athlete benefits during their representation of the plaintiffs in *Alston*. *See Nat'l*
19 *Collegiate Athletic Ass'n v. Alston*, 594 U.S. 69, 80 (2021) (noting that the parties submitted
20 "volumes of evidence and briefing" to this Court in *Alston*). They were thus well-aware of the legal
21 issues that would be at play in any litigation challenging the NCAA's restrictions on athlete benefits,
22 the evidence that existed related to those issues, and the challenges to (among other things) certifying
23 damages classes. The evidence collected during discovery in *House* was also related to a variety of
24 issues relevant to claims for additional compensation for athletic participation. For example, the
25 evidence Plaintiffs had collected about Defendants' procompetitive justifications in *House* is relevant
26 to their claims for additional compensation for athletic participation.

27 34. On July 26, 2024, the *Carter* claims were consolidated in the operative Second

Amended Complaint (ECF No. 448), filed concurrently with Plaintiffs' Motion for Preliminary Settlement Approval. *See* ECF No. 450. On July 26, 2024, Plaintiffs filed the Third Consolidated Amended Class Action Complaint (ECF No. 448-1), which is the operative complaint in this action. *See* ECF No. 543.

7. Defending Class Members' Interests Before Federal and State Legislators

35. In parallel with their efforts to prosecute this litigation, Class Counsel have also defended the classes' interests before federal and state legislative bodies. Throughout this litigation, Defendants engaged in an aggressive, years-long campaign to lobby for legislation that would exempt them from the antitrust laws and allow them to continue their unfair restrictions on college athletes, collectively spending nearly \$10 million dollars on lobbying between 2021 and 2024.² Class Counsel expended significant effort and resources, to protect the classes' interests against Defendants' attempts to kill this lawsuit, including by meeting with legislators, analyzing proposed legislation and advising Congressional committees, and submitting written testimony before Congressional panels. That included expending significant funds on lobbyists, for which Class Counsel does not seek direct reimbursement.

8. Extensive Arm's Length Settlement Negotiations Resulted in a Ground-Breaking Settlement for the Classes

36. Plaintiffs discussed in their briefing in support of their motion for preliminary approval, and the supporting declarations, the extensive and complicated negotiations that led to the ground-breaking settlement achieved. ECF Nos. 450, 450-2, 494, 494-1, 494-2. In sum, Plaintiffs and Defendants negotiated resolution of the claims during several in-person and telephonic mediation sessions conducted by renowned mediator Professor Eric D. Green, who has significant experience mediating disputes involving challenges to the NCAA's compensation rules. Settlement negotiations stretched over a year and a half—from fall 2022 to spring 2024—and were carefully structured based

² Sports Business Journal, *NIL and other financial questions have created a lot of talk in D.C., but no real action so far* (October 28, 2024)

<https://www.sportsbusinessjournal.com/Articles/2024/10/28/college-nil-lobbying#:~:text=Federal%20disclosures%20show%20the%20NCAA,an%20average%20of%20%24845%2C000%20annually.>

on different relief and claims. For example, throughout the negotiations, the discussions continued to be separated for injunctive relief and the different types of damages claims. The parties first focused on negotiations regarding settling the injunctive relief claims. Only after agreeing to the principal terms of the injunctive relief settlement did the parties turn to discussions of damages. Additionally, following the hearing on preliminary approval, based on issues identified for Judge Wilken, the parties negotiated further changes to the settlement agreement and injunctive relief portion specifically, and submitted the Amended Stipulation and Settlement Agreement on September 26, 2024. *See* ECF Nos. 535, 537.

37. The relief obtained for the Settlement Classes has been detailed in other briefing by Plaintiffs. *See, e.g.*, ECF No. 450 at 16-24; ECF No. 534 at 14-15. Highlights include:

- The \$1.976 billion NIL Settlement Fund that is 67.4% of estimated single damages for the Settlement Classes’ NIL-related claims. ECF No. 450 at 17 (citing Declaration of Daniel A. Rascher at ¶¶ 22, 28, 32, filed July 26, 2024, ECF No. 450-4, hereinafter “Rascher Decl.”);
- The \$600 million Additional Compensation Fund that is 31.6% of the estimated single damages to members of the Settlement Classes for the related claims, originally brought in *Carter*. ECF No. 450 at 19 (citing Rascher Decl. ¶ 49);
- Injunctive relief that makes permanent the NCAA’s interim third-party NIL rules—enacted after this litigation and Class Counsel Supreme Court victory in *Alston*—that have allowed athletes to receive hundreds of millions of dollars from third parties for use of their NILs. *See* ECF No. 450 at 21.
- Injunctive relief that revolutionizes NCAA rules to permit schools for the first time to provide billions of dollars in new benefits directly to college athletes (so-called “Pool benefits”)—in addition to the existing scholarships and other benefits athletes are already eligible to receive, and in addition to the opportunity for third-party NIL deals. Plaintiffs’ economic expert, Dr. Rascher, estimates that, in 2025-2026, the combined value of existing benefits to Division I athletes and the new 22% Pool benefits is 51% of Division I revenues—meaning college athletes will earn the same percentage of revenues as professional athletes in the NFL, NBA,

1 and other professional leagues. Rascher Decl., ¶¶ 39, 82-87. Over the ten-year period of the
 2 Injunctive Settlement Term, this is likely to have a value of more than \$20 billion dollars that
 3 may be spent directly on college athletes. *See id.*

4 38. Other valuable aspects of the Injunctive Relief Settlement include eliminating NCAA
 5 rules on scholarship limits, rules addressing the number of seasons/length of time college athletes are
 6 eligible to receive benefits, the progress required toward a degree for a college athlete to be eligible
 7 to receive benefits under the Injunctive Relief Settlement, and rules preventing circumvention of the
 8 agreement. Importantly, the Injunctive Relief Settlement takes a neutral position on, and thus will not
 9 interfere with, any collective bargaining efforts between college athletes and Defendants or NCAA
 10 member schools in the event that a change in law or circumstances allows collective bargaining. If
 11 that occurs, the benefits permitted under the Injunctive Relief Settlement may be made part of any
 12 collectively-bargained compensation package or alternative structure. Thus, the Settlement will not
 13 preclude the parties to any such bargaining from agreeing upon additional, expanded, or different
 14 benefits than those permitted by the Injunctive Relief Settlement. *See* Amended Injunctive Relief
 15 Settlement, Appendix A to Amended Stipulation and Settlement Agreement, hereinafter “Am. IRS”
 16 at 27-28 (ECF No. 35 Ex. 1).³

17 **9. Further Proceedings and Current State of Play**

18 39. On July 26, 2024, Plaintiffs moved for preliminary approval of the settlement with
 19 Defendants and to direct notice to the Settlement Classes. ECF No. 450. After objections, substantive
 20 briefing in response, and the preliminary approval hearing, Class Counsel submitted subsequent
 21 briefing with modified settlement agreement, declarations, and notice documents. ECF Nos. 534,
 22 535, 536, 537. Plaintiffs’ motion was granted on October 7, 2024. ECF No. 544. Notice to the class
 23

24
 25 ³ The Injunctive Settlement also establishes processes, including audit rights, for Class Counsel to
 26 ensure that the rules implementing the Injunctive Settlement will be followed. Am. IRS at 16-18. And
 27 it establishes a new neutral arbitration system for resolving NCAA eligibility disputes between
 individual athletes or Member Institutions and the NCAA or conferences arising from the Injunctive
 Settlement. Am. IRS at 23-26.

commenced on October 18, 2024. Since that date, Class Counsel in coordination with experts and the settlement administrator, have spent hours notifying hundreds of thousands of eligible athletes, coordinating and verifying data produced by over 200 NCAA member schools, and preparing allocations estimates for eligible class members prior to the opt-out and objection deadline of January 31, 2025.

II. SUMMARY OF HAGENS BERMAN'S LODESTAR AND EXPENSES

40. Hagens Berman's total lodestar for professional and attorney time billed to the *College Athlete NIL Litigation*, up to and including December 9, 2024, is \$18,164,987.50. Professionals at Hagens Berman devoted 33,952.70 hours in total to this action. Hagens Berman's lodestar for attorney and professional time billed is calculated based on the current hourly rates of the firm.

41. Hagens Berman's hourly rates are based on regular and ongoing monitoring of prevailing market rates in the San Francisco Bay Area for attorneys of comparable skill, experience, and qualifications. Hagens Berman's hourly rates and rate structure have been approved by numerous courts, including recently in the Northern District of California. *See In re Google Play Developer Antitrust Litig.*, 2024 WL 150585, at *3 (N.D. Cal. Jan. 11, 2024); *see also, e.g., In re Nat'l Collegiate Athletic Ass'n Athletic Grant-in-Aid Cap Antitrust Litig.*, 2017 WL 6040065, at *8-*9 (N.D. Cal. Dec. 6, 2017), *aff'd*, 768 F. App'x 651 (9th Cir. 2019).

42. A summary of the timekeepers who worked on these matters, the number of hours dedicated to tasks in this litigation, their total hours, their current hourly billing rates, and their total lodestar based on current billing rates, is attached as **Exhibit 1**.

43. Attached as **Exhibit 2** is a summary of Hagens Bermans' lodestar by task category. The task categories are as follows:

- a. **Investigation and Fact Discovery**, which includes investigation of the case, researching publicly available sources, relevant prior litigation against Defendants, investigating potential fact witnesses, and drafting the initial complaint.
- b. **Analysis/Strategy**, which includes internal communications with co-counsel and non-motion written submissions to the Court, including stipulations and case management

plans.

- c. **Written Discovery**, which includes drafting, responding to, and collecting documents regarding written discovery to and from parties and to third parties.
- d. **Document Review**, which includes analyzing and reviewing documents produced by parties and third parties, and managing document review efforts.
- e. **Motions**, which includes researching, writing, filing, and responding to motions, oral argument concerning motions, and drafting the amended complaints.
- f. **Experts/Consultants**, which includes facilitating expert reports and data analysis, corresponding and conferencing with experts, and supporting expert conclusions.
- g. **Depositions**, which includes analysis and research for, preparing for, and taking and defending depositions.
- h. **Client and Class Communications**, which includes corresponding and conferencing with class representatives, and with potential and actual class members.
- i. **Settlement**, which includes settlement negotiations, mediation, and work conducted to facilitate the settlement, such as notice and administration tasks.
- j. **File Maintenance**, which includes non-attorney work organizing, updating, and maintaining the litigation file.

44. A summary of the costs and expenses that Hagens Berman has paid to date in the *College Athlete NIL Litigation* is attached as **Exhibit 3**. To avoid double counting, this summary does not include expenses allocated to funding the Litigation Fund, which was completely funded by Class Counsel, as discussed in Section IV.B, *infra*. Apart from contribution to the Litigation Fund, the separate expenses incurred total \$177,940.25. See **Exhibit 5** (internal expenses of each Class Counsel firm identified). These costs and expenses are based on the books and records of my firm. The expenses reflected in **Exhibit 3** are prepared from expense vouchers, receipts, and bank records, and thus represent an accurate recordation of the expenses incurred. Hagens Berman can produce a copy of these expense vouchers, receipts, and bank records upon request of the Court.

45. I have reviewed the time and expenses reported by Hagens Berman in this case which

are included in this declaration and its exhibits, and I affirm that they are true and accurate.

46. In addition to the separate expenses of Hagens Berman for which we seek reimbursement, Hagens Berman also contributed \$4,030,000.00 to a Litigation Fund maintained in the *College Athlete NIL Litigation*. The expenses paid from this Litigation Fund for which Class Counsel seek reimbursement are described *infra*, in Section IV.B.

III. SUMMARY OF CLASS COUNSEL'S ATTORNEYS' FEES

47. In Plaintiffs' Motion for Attorneys' Fees, Reimbursement of Litigation Expenses, and Service Awards for Class Representatives, Class Counsel respectfully request an award of attorneys' fees, to be paid out over ten years with class member distributions, equivalent to 20% of the NIL Settlement Fund (\$395.2 million), 10% of the Additional Compensation Fund (\$60 million), an upfront injunctive relief award of \$20 million to be paid by Defendants, and the right to apply to the Court or special master for an award of a percentage of the total amount spent by Division I member institutions under the Pool for each academic year (with the percentage increasing from .75 to a maximum of 1.25%).

48. As explained *supra*, in Exhibits 1 and 2, respectively, Hagens Berman has provided its total lodestar at current hourly rates. Similarly, in Mr. Kessler's declaration, he has provided Winston & Strawn's lodestar at current hourly rates, which totals \$35,973,842.50. In Mr. Kodroff's declaration, he has provided Spector, Roseman & Kodroff, P.C.'s total lodestar at current rates, which totals \$223,498.75.

49. As shown in the exhibits to this Declaration and the declarations of Mr. Kessler and Mr. Kodroff, Class Counsel's total lodestar in this action at current rates is \$54,362,328.75. **Exhibit 6.** If one takes the fees currently requested of \$475.2 million and divides by the total lodestar by Class Counsel in this action of \$54,362,328.75, the result would be a lodestar multiplier for this action of approximately 8.74.

50. Class Counsel has foregone other work while litigating this case, and some attorneys worked nearly exclusively on this case for at least some of the many years of this decade-long litigation.

51. A summary of the total hours and lodestar for each Class Counsel firm at current billing rates is summarized in **Exhibit 6** to this declaration.

52. For an antitrust case of this size and complexity, Class Counsel has worked hard to keep the team relatively small, relying on attorneys from only two firms for the vast majority of the work completed to avoid unnecessary inefficiency. Our team knows the case well and understands the complexity and nuances of the litigation.

53. To avoid duplication, Class Counsel has worked together to split assignments wherever possible, including at the document review stage. Our document reviewers have years of experience reviewing and assessing large volumes of documents in similar antitrust class action cases.

54. The attorneys working for Class Counsel applied their extensive experience litigating other antitrust class actions to this case, resulting in additional efficiencies.

IV. EXPENSES INCURRED BY PLAINTIFFS

A. Summary of Expenses

55. In this Motion, Plaintiffs respectfully request reimbursement of litigation costs and expenses they incurred on behalf of Plaintiffs in the amount of \$9,081,356.70. (*see* total of **Exhibits 4 and 5**). Class Counsel's unreimbursed expenses were reasonably incurred, necessary for the litigation of the case, and Class Counsel advanced these expenses interest free with no assurance that they would ever be reimbursed. Class Counsel has continued to incur these expenses while funding necessary expert costs in the ongoing work of settlement administration and allocation.

56. Throughout the litigation, Class Counsel has prosecuted this case on a contingent basis, funding the case out-of-pocket, without the use of outside litigation funders.

57. The total amount of expenses requested is based on the amounts identified in this declaration (for Hagens Berman), the Kessler Decl. (for Winston & Strawn) and the Kodroff Decl. (for Spector Roseman), and the expenses paid out of the Litigation Fund, which are described in detail in this declaration in Section IV.B, *infra*.

1 58. Class Counsel submit that the litigation expenses incurred were reasonable and
2 necessary to obtain the results achieved for the Settlement Classes in light of the complexities of the
3 litigation, the amount of discovery that was required of the six Defendants and numerous third
4 parties, and the challenging liability and expert issues raised in the case. Furthermore, these expenses
5 are typical expenses that counsel would generally bill to paying clients in the marketplace.

6 **B. Expense Paid out of the Litigation Fund**

7 59. For the bulk of expenses in this litigation, Class Counsel created a Litigation Fund,
8 100% funded by counsel. As with all expenses for which Class Counsel seek reimbursement, no
9 outside litigation funders have contributed to, or have an interest in, this Litigation Fund. Hagens
10 Berman has been tasked with the responsibility for administering the Litigation Fund in connection
11 with the prosecution of this case. The expenses incurred by the Litigation Fund are reflected in the
12 books and records of Hagens Berman. These books and records are prepared from invoices, checks,
13 and other source materials which are regularly kept and maintained by Hagens Berman and
14 accurately reflect the expenses incurred.

15 60. The litigation costs and expenses paid from the Litigation Fund total \$8,220,446.40.
16 **Exhibit 4**. That total represents approximately 90.5% percent of the total expenses of \$9,081,356.70
17 incurred in connection with this case.

18 61. Attached hereto as **Exhibit 4** is a summary of the expenses paid from the Litigation
19 Fund. The expenses from the Litigation Fund include the following:

20 a. **Experts and Analysis**: Class Counsel retained well-respected economic and
21 other experts to provide critical support for the damages methodology at class certification and at the
22 merits stage of this litigation, to refute anticompetitive arguments at summary judgment, to calculate
23 settlement allocations, to perform survey analysis, and to do other expert work critical to this case. In
24 total, Plaintiffs incurred \$7,706,740.22 in this category of expenses paid from the Litigation Fund,
25 which is equivalent to approximately 84.9 percent of the total expenditures in this case.

26 b. **Deposition Transcripts and Videographers**: Payments to deposition
27 transcription and videography services. In total, Plaintiffs incurred \$213,962.88 in this category of
28

1 expenses paid from the Litigation Fund.

2 c. Document Collection, Review, and Synthesis: Payments made to document
3 review platform hosting vendors, including Everlaw. In total, Plaintiffs incurred \$185,430.60 in costs
4 for these services paid from the Litigation Fund.

5 d. Neutral Services: Payments made to Resolutions LLC, which is Professor Eric
6 Green's mediation services firm. In total, Plaintiffs incurred a total of \$114,312,70 in costs for these
7 services paid from the Litigation Fund.

8 **C. Expenses Paid Directly by Class Counsel.**

9 62. Of the total expenses incurred, \$860,910.42 of those expenses were paid directly by
10 individual Class Counsel firms to vendors, as shown in **Exhibit 5**, which breaks down the expenses
11 sought by Class Counsel according to the individual firm that paid the expense.

12 63. Each of the expenses is based on the expenses identified by Class Counsel in this
13 declaration (for Hagens Berman), the Kessler Decl. (for Winston & Strawn) and the Kodroff Decl.
14 (for Spector Roseman).

15 **V. SUMMARY OF LODESTAR AND FEE AWARDS IN ALSTON AND TOTAL FROM**
16 **COLLEGE ATHLETE NIL LITIGATION, HUBBARD AND ALSTON**

17 64. In *In re National Collegiate Athletic Ass'n Athletic Grant-in-Aid Cap Antitrust Litig.*
18 (*"Alston"*), No. 14-md-02541-CW (NC) (N.D. Cal.), class counsel in that litigation, which included
19 Hagens Berman and Winston & Strawn, were awarded fees as the prevailing party on plaintiffs'
20 injunctive relief claims. *See id.*, ECF No. 1261, *adopted by* ECF No. 1280; ECF No. 1301; ECF No.
21 1334. The total fees awarded for Hagens Berman and Winston & Strawn, Class Counsel here, were
22 \$33,185,776. *See id.*

23 65. This Court found Hagens Berman and Winston & Strawn's (Class Counsel here)
24 compensable lodestar for purposes of awarding fees for plaintiffs as the prevailing parties on their
25 injunctive relief claims in the amount of approximately \$33,185,776. *See id.*, ECF No. 1259 at 8-9,
26 *adopted by* ECF No. 1280 (class counsel to be awarded fees for compensable work at hourly rates);
27 ECF No. 1261, *adopted by* ECF No. 1280; ECF No. 1301; ECF No. 1334.

1 66. Class Counsel’s recovery for their work on behalf of the prevailing on the injunctive
2 relief claims in *Alston* was limited to statutory fee-shifting (excluding, for examples, millions in non-
3 reimbursable expenses and any multiplier on fees), and much of the discovery obtained in *Alston* was
4 used in the *NIL Antitrust Litigation* and *Hubbard et al. v. NCAA et al.*, No. 4:23-cv-10593-CW (N.D.
5 Cal.).

6 67. In the related *Hubbard* litigation, Hagens Berman and Winston & Strawn serve as Co-
7 Lead Counsel. Jeffrey L. Kessler has submitted a Declaration of Support of the Plaintiffs’ Motion for
8 Attorneys’ Fees, Reimbursement of Litigation Expenses, and Service Awards for Class
9 Representatives in that litigation (“Kessler Hubbard Decl.”). In his declaration, Mr. Kessler has
10 calculated Class Counsel’s total lodestar as \$4,793,070. *See* Kessler Hubbard Decl., submitted
11 concurrently with this declaration in *Hubbard*.

12 68. As stated in this declaration, the total lodestar for Class Counsel in this action (*College*
13 *Athlete NIL Litigation*) is \$54,362,328.75.

14 69. In sum, the lodestar from *College Athlete NIL Litigation*, *Hubbard*, and for their
15 injunctive relief work that was deemed compensable in *Alston* totals approximately \$92,341,174.75.

16 70. The fees requested now in the motion for attorneys’ fees in *College Athlete NIL*
17 *Litigation* total \$475.2 million. *See supra*, Part III. The fees requested in the motion for attorneys’
18 fees in *Hubard* total \$40 million. And as explained, the fees awarded to Class Counsel here (Hagens
19 Berman and Winston & Strawn) as part of the fee award for the prevailing party on the injunctive
20 relief claims in *Alston* totaled \$33,185,776. If these figures are totaled—the fee requests in *College*
21 *Athlete NIL Litigation* and *Hubbard*, plus the amount awarded to Class Counsel here in *Alston* for the
22 injunctive relief claims—the total amount is \$548,385,776. Thus, the total multiplier including hours
23 expended and fees requested and awarded, respectively, by Class Counsel on the claims in *Hubbard*
24 and the injunctive relief claims in *Alston*, and the fees requested in the *College Athlete NIL Litigation*
25 is 5.94, or \$548,385,776 divided by \$92,341,174.75.

VI. THE CRITICAL WORK OF CLASS REPRESENTATIVES GRANT HOUSE, SEDONA PRINCE, AND TYMIR OLIVER

71. Class representatives Grant House, Sedona Prince, and Tymir Oliver have devoted noteworthy time and resources to representing the plaintiffs in this case from inception to settlement and have remained actively involved during the course of the litigation.

72. Mr. House, Ms. Prince, and Mr. Oliver worked closely with counsel to respond to multiple sets of requests for production and interrogatories from Defendants over the past four years. They all took seriously their obligations to preserve responsive documents and further worked with counsel to collect and produce each and every responsive document and all information in their possession, often from multiple locations and sources. They each searched their files for any correspondence, forms, contracts, financial and athletics records, and any other potentially relevant documents that spanned their collegiate athletic careers.

73. Mr. House, Ms. Prince, and Mr. Oliver were responsive and available to counsel through the entire duration of this lawsuit, providing additional information as needed and remaining engaged and actively informed on the case.

74. Mr. House, Ms. Prince, and Mr. Oliver each prepared for, traveled to and from, and participated in full day-long depositions.

75. Mr. House's deposition lasted approximately six hours and he dedicated hours of time and energy preparing for his deposition, with assistance of counsel.

76. Ms. Prince's deposition lasted approximately six hours and she dedicated hours of time and energy preparing for his deposition, with the assistance of counsel.

77. Mr. Oliver prepared for, traveled to and from, and participated in a full day-long deposition. Mr. Oliver's deposition lasted approximately seven hours. Mr. Oliver dedicated hours of time and energy preparing for his deposition, with assistance of counsel.

78. Mr. House and Ms. Prince were also still competing in college under the NCAA rules when their case began and incurred substantial risks and costs in taking on leadership roles in this high-profile, highly-publicized litigation against the NCAA and the most prominent conferences in

1 college sports. Mr. Oliver was a recent graduate of college, who participated under NCAA rules at
2 the time the litigation began.

3 79. Mr. Oliver searched his files for any correspondence, forms, contracts, brochures,
4 financial and athletics records, and any other potentially relevant documents that spanned his athletic
5 career from high school to after graduating college and expiration of his NCAA eligibility.

6 80. In recognition of their significant contributions to this litigation, Plaintiffs request
7 service awards for Mr. House, Ms. Prince, and Mr. Oliver in the amount of \$125,000 each (\$375,000
8 in total).

9 **VII. EXPERTISE AND EXPERIENCE OF CORE HAGENS BERMAN TEAM MEMBERS**

10 81. The expertise and experience of Class Counsel is another important factor in setting a
11 fair fee. As demonstrated by the Hagens Berman firm résumé, attached hereto as Exhibit 7, Hagens
12 Berman is among the most experienced and skilled practitioners in the complex litigation field, and
13 has a long and successful track record in such cases. Hagens Berman is a nationally recognized law
14 firm, with offices in Berkeley, Seattle, Boston, Chicago, Los Angeles, Washington D.C., Phoenix,
15 London, and Paris. The firm has been consistently rated by the National Law Journal in the top ten of
16 plaintiffs' firms in the country. Hagens Berman has extensive experience litigating complex class
17 actions asserting claims of securities, investment fraud, product liability, tort, antitrust, consumer
18 fraud, employment, environmental, and ERISA cases. The fact that Hagens Berman has demonstrated
19 a willingness and ability to prosecute complex cases such as this was undoubtedly a factor that
20 encouraged the Defendants to engage in settlement discussions, and added valuable leverage in the
21 negotiations, ultimately resulting in the recovery for the Class. The Hagens Berman team paid
22 attention to ensuring that each attorney on the file had specific areas of focus; that there was not
23 duplication of efforts, especially among higher billers; and that projects were assigned to experienced
24 lawyers with depth in the field who could effectively and efficiently execute the amount of work this
25 case demanded.

26 82. In addition to biographies included in the attached firm résumé, below is a summary
27 of the experience of some of the core team members:

83. *Steve Berman*, one of the founding partners of Hagens Berman, is widely regarded as one of the most effective class action attorneys in the country. In *In re NCAA Grant-in-Aid Cap Antitrust Litigation*, Mr. Berman led Hagens Berman’s trial team in a 10-day trial in September 2019 before former Chief Judge Claudia Wilken of the Northern District of California, successfully obtaining an injunction against the NCAA relating to caps on compensation available to college student-athletes. Mr. Berman questioned numerous witnesses and gave the closing argument at trial. The decision and injunction was upheld, unanimously, by the Supreme Court. *See NCAA v. Alston*, 141 U.S. 1241 (2021). Prior to trial, Mr. Berman recovered a \$208 million settlement for the class, but continued to litigate on behalf of the class for the injunction affirmed by the Supreme Court. He served as lead counsel for 13 states in the tobacco litigation, leading to a settlement of \$206 billion—the largest in history. He, along with Marc Seltzer, was appointed *sua sponte* by Judge James V. Selna of the Central District of California to serve as co-lead counsel in *In re Toyota Motor Corp. Unintended Acceleration*. The \$1.6 billion settlement was then the largest auto settlement, both in terms of class members and recovery, in U.S. history. Mr. Berman was sole lead class counsel in *In re: Stericycle, Inc., Steri-Safe Contract Litigation*, Case No. 13 C 5795, MDL No. 2455 (N.D. Ill.), where the class obtained \$295 million in settlements and injunctive relief. Judge Shadur stated in his preliminary approval order that the settlement demonstrated the “type of high quality work product that this Court anticipated when it designated Hagens Berman and its lead partner Steve Berman as class counsel.” Memo. & Order at 3, *In re: Stericycle, Inc.*, MDL No. 2455 (N.D. Ill. Oct. 26, 2017), ECF No. 310. He has served as lead or co-lead counsel in antitrust, securities, consumer, and products liability litigation, as well as other complex litigation, including MDL actions, throughout the country. In addition, Mr. Berman was appointed to the plaintiffs’ steering committee by Judge Breyer in the *In re Volkswagen “Clean Diesel” Mktg., Sales Practices, & Prods. Liability Litig.*, No. 15-md-02672-CRB (N.D. Cal.), and lead counsel for the franchise VW dealers, who settled for \$1.2 billion. Mr. Berman has received countless awards and recognition for his work, including the National Law Journal’s 2021 recognition of him as a Sports & Entertainment Law Trailblazer, the American Antitrust Institute recognizing him in 2021, 2019, and 2018 as an Honoree for Outstanding

1 Antitrust Litigation Achievement, and being named as a Class Action MVP of the Year for 2016
2 through 2020 by Law360. Mr. Berman was also recently named to the Lawdragon Hall of Fame for
3 his career achievements.

4 84. *Christopher O'Hara* is a partner with Hagens Berman with a long history in working
5 on antitrust class actions and settlements. Mr. O'Hara plays a key role in working with and
6 overseeing notice and claims administrators on the firm's class settlements and class notice programs,
7 including antitrust actions such as *In re Electronic Books Antitrust Litig.*, No. 11-mc-02293
8 (S.D.N.Y.); *In re Optical Disk Drive Antitrust Litig.*, No. 10-md-2143 RS (N.D. Cal.); and *In re*
9 *Animation Workers Antitrust Litig.*, No. 14-CV-04062-LHK (N.D. Cal.). An active member of the
10 firm's Microsoft defense team, Mr. O'Hara has spent the past 17 years working for and advising
11 Microsoft in 20 state antitrust class action lawsuits and settlements around the country. Mr. O'Hara
12 began his career with the firm as a Special Assistant Attorney General for 13 states, working on
13 consumer protection and antitrust claims in the landmark State Tobacco Litigation, which resulted in
14 the \$206 billion Tobacco Master Settlement Agreement, the largest settlement in world history.
15 Named a Rising Star in 2003, Mr. O'Hara graduated from Seattle University School of Law, *cum*
16 *laude*, in 1993.

17 85. *Benjamin Siegel* is Of Counsel in Hagens Berman's Berkeley office with significant
18 experience in antitrust class actions. He is a 2007 graduate of The University of Texas School of
19 Law, where he was an Articles Editor of the Texas Law Review, and the University of Texas Lyndon
20 B. Johnson School of Public Affairs, graduating first in his class. After law school, Mr. Siegel was a
21 judicial law clerk to the Honorable Thomas M. Reavley of the United States Court of Appeals for the
22 Fifth Circuit. He was admitted to the State Bar of California in 2008 and has been admitted to
23 practice before the courts of the State of California, the Northern District of California, the Eastern
24 District of California, and the Ninth Circuit Court of Appeals. Since joining the firm, Mr. Siegel has
25 had a practice focused on antitrust class actions and is a member of the Hagens Berman teams in *In*
26 *re Resistors Antitrust Litigation*, No. 15-cv-03820 (N.D. Cal.); *In re Optical Disk Drive Antitrust*
27 *Litigation*, No. 10-md-02143 (N.D. Cal.); *Mackmin v. Visa Inc.*, No. 11-cv-1831 (D.D.C.); *In re*

1 *College Athlete NIL Litigation*, No. 20-cv-03919 (N.D. Cal.); and *In re NCAA Grant-In-Aid Cap*
 2 *Antitrust Litigation*, No. 14-md-02541 (N.D. Cal.). In the latter case, Mr. Siegel was part of the team
 3 that successfully defended its trial win before the Supreme Court and received the American Law
 4 Institute's award for Outstanding Antitrust Litigation Achievement in Private Law Practice. In 2018,
 5 he was named one of Super Lawyers' "Rising Stars." In 2024, he was named one of Northern
 6 California's Super Lawyers

7 86. *Emilee Sisco* is an associate in Hagens Berman's Seattle office with substantial
 8 experience in sports litigation and antitrust class actions. Ms. Sisco graduated from Seattle University
 9 School of Law in 2015. During law school, Ms. Sisco was a law clerk for the Washington State
 10 Office of the Attorney General Antitrust Division. She has worked on numerous cases on behalf of
 11 professional and college athletes since joining Hagens Berman in 2015, including as a member of the
 12 team in *In re NCAA Grant-In-Aid Cap Antitrust Litigation*, No. 14-md-02541 (N.D. Cal.) that
 13 successfully defended its trial win before the Supreme Court and received the American Law
 14 Institute's award for Outstanding Antitrust Litigation Achievement in Private Law Practice in 2019
 15 and 2021. She has served as a significant part of the team in this action.

16 87. *Stephanie Verdoia* is an associate in Hagens Berman's Seattle office and works on
 17 antitrust class actions. Mrs. Verdoia has worked on numerous large antitrust class actions since she
 18 joined Hagens Berman in 2021. She focuses predominantly on price-fixing antitrust class actions
 19 including: *Duffy v. Yardi Systems Inc.*, et al., 2:23-cv-01391-RSL (W.D. Wash.), *Gibson v. Cendyn*
 20 *Group, LLC*, et al., 2:23-cv-00140-MMD-DJA (D. Nev.), and *State of Arizona, et al., v. RealPage*
 21 *Inc.*, et al., cv-2024-003889 (Sup. Ct. Az.). As well as, large MDL consumer class actions such as: *In*
 22 *re: Evenflo Company, Inc., Marketing, Sales Practices and Products Liability Litigation*, 1:20-md-
 23 02938-DJC (D. Mass.). She has served as a major part of the team in this action, including playing a
 24 major role in third-party discovery, class certification, summary judgment, and settlement
 25 administration.

26 88. *Meredith Simons* is an associate in Hagens Berman's Seattle office and works on
 27 antitrust class actions. She has practiced for seven years and has been admitted to the California bar,

as well as U.S. Court of Appeals for the Ninth Circuit and the U.S. District Court for the Central District of California. Mrs. Simons attended Duke Law school where she graduated *summa cum laude* before clerking for Honorable Richard C. Tallman of the Ninth Circuit Court of Appeals. Since joining Hagens Berman Mrs. Simons has worked on some of the firm's largest current antitrust actions, including: *Taylor v. Amazon.com, Inc.*, 2:24-cv-00169 (W.D. Wash.), *Floyd v. Amazon.com, Inc.*, 2:22-cv-01599 (W.D. Wash.), *Collins v. Apple Inc.*, 3:24-cv-01796 (N.D. Cal.). She has played a large role in this action related to fact discovery and class certification notice.

89. Jason Stowe is a staff attorney in Hagens Berman's Seattle office and has worked on class actions for eight years, working on some of the firm's most impactful cases. He provided pivotal support for plaintiffs' classes harmed by automotive companies cheating emissions tests, hiding fraudulent operating functions, and forcing customers into needless and costly upgrades. The firm counted on Jason against information technology companies that committed fraud and antitrust violations in the airline ticket sales, social media data, and cell phone warranty markets. In this action, Jason was a key member of the multi-year discovery and document review effort. He tracked and organized the parties' labyrinthine of broadcast and media contracts. Attorneys taking depositions counted on Jason for preparation and strategy. And he provided factual and legal research on an ongoing basis to help the legal team navigate the many novel and groundbreaking aspects of this litigation.

90. Brian Miller has been a paralegal in Hagens Berman's Berkeley office since 2009, managing complex antitrust class actions in this district including *Pecover v. Electronic Arts, Inc.*, No. 08-cv-02820 CW (N.D. Cal.); *In re Optical Disk Drive Antitrust Litig.*, No. 3:10-md-2143 RS (N.D. Cal.); *In re Nat'l Collegiate Athletic Ass'n Athletic Grant-in-Aid Cap Antitrust Litig.*, No. 14-md-2541-CW (N.D. Cal.); *In re Animation Workers Antitrust Litig.*, No. 14-cv-4062-LHK (N.D. Cal.); *Edwards v. National Milk Producers Federation*, No. 11-cv-4766-JSW (N.D. Cal.); *In re Resistors Antitrust Litig.*, No. 15-cv-3820-JD (N.D. Cal.); *In re Lithium-Ion Batteries Antitrust Litig.*, No. 13-md-02420 (N.D. Cal.); *In re Google Play Developer Antitrust Litig.*, No. 3:20-cv-05792-JD (N.D. Cal.); and *Klein v. Meta Platforms, Inc.*, No. 3:20-cv-08570-JD (N.D. Cal.). Prior to joining

1 Hagens Berman, he was a case manager at an intellectual property litigation firm for twelve years,
2 specializing in complex patent litigation and amassed extensive trial experience in districts across the
3 country and the International Trade Commission.

4
5 I declare under penalty of perjury under the laws of the United States that the foregoing is
6 true and correct.

7 Executed this 17th day of December, 2024 at Seattle, Washington.

8
9 _____
10 */s/ Steve W. Berman*
11 STEVE W. BERMAN
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EXHIBIT 1

EXHIBIT 1

Hagens Berman Sobol Shapiro LLP HOUSE/CARTER LODESTAR TOTALS INCEPTION THROUGH DECEMBER 9, 2024				
ATTORNEY	TITLE	TOTAL HOURS	HOURLY RATE	LODESTAR AT CURRENT RATES
Steve Berman	Partner	1,116.50	\$1,350.00	\$ 1,507,275.00
Craig Spiegel	Partner	140.50	\$975.00	\$ 136,987.50
Leonard Aragon	Partner	4.00	\$850.00	\$ 3,400.00
Chris O'Hara	Partner	257.70	\$800.00	\$ 206,160.00
Catherine Gannon	Partner	294.70	\$800.00	\$ 235,760.00
Ben Siegel	Of Counsel	5,415.40	\$850.00	\$ 4,603,090.00
Meredith Simons	Associate	320.40	\$550.00	\$ 176,220.00
Emilee Sisco	Associate	8,151.30	\$450.00	\$ 3,668,085.00
Stephanie Verdoia	Associate	4,054.70	\$400.00	\$ 1,621,880.00
Lyes Mauni Jalali-Yazdi	Associate	114.60	\$350.00	\$ 40,110.00
Jeff Lang	Staff Attorney	277.80	\$575.00	\$ 159,735.00
Sophia Chao	Staff Attorney	1,783.70	\$500.00	\$ 891,850.00
Zach Stump	Staff Attorney	274.70	\$500.00	\$ 137,350.00
Jessica Liang	Staff Attorney	1,206.60	\$425.00	\$ 512,805.00
Jason Stowe	Staff Attorney	5,420.90	\$425.00	\$ 2,303,882.50
Yaa Pepra-Smith	Contract Attorney	22.50	\$375.00	\$ 8,437.50
Dara Jon Taheri	Contract Attorney	1,421.90	\$375.00	\$ 533,212.50
Georgia Beake	Contract Attorney	521.20	\$375.00	\$ 195,450.00
Robert Webb	Contract Attorney	210.30	\$375.00	\$ 78,862.50
Rashida Rose	Contract Attorney	66.00	\$375.00	\$ 24,750.00
Sunny Chitalia	Contract Attorney	105.00	\$375.00	\$ 39,375.00
	ATTORNEY TOTAL	31180.40		\$ 17,084,677.50
NON-ATTORNEYS	TITLE	TOTAL HOURS	HOURLY RATE	LODESTAR AT CURRENT RATES
Brian Miller	Paralegal	2,243.00	\$400.00	\$ 897,200.00
Joseph Salonga	Paralegal	15.40	\$400.00	\$ 6,160.00
Megan Meyers	Paralegal	16.60	\$400.00	\$ 6,640.00
Shelby Taylor	Paralegal	296.50	\$350.00	\$ 103,775.00
Radha Kerzan	Paralegal	125.90	\$350.00	\$ 44,065.00
Chan Lovell	Paralegal Assistant	74.90	\$300.00	\$ 22,470.00

	NON- ATTORNEY TOTAL	2,772.30		\$ 1,080,310.00
	GRAND TOTAL	33,952.70		\$ 18,164,987.50

EXHIBIT 2

EXHIBIT 2

Hagens Berman Sobol Shapiro LLP HOUSE/CARTER SUMMARY OF ATTORNEY HOURS BY LITIGATION ACTIVITY TYPE INCEPTION THROUGH DECEMBER 9, 2024		
LITIGATION ACTIVITY	ATTORNEY HOURS	LODESTAR
Investigation and Fact Discovery	798.30	\$ 438,640.00
Analysis/Strategy	1,386.30	\$ 867,080.00
Written Discovery	4,228.10	\$ 2,247,527.50
Document Review	10,220.40	\$ 4,690,680.00
Motions	4,966.50	\$ 3,023,692.50
Experts/Consultants	3,542.10	\$ 1,946,565.00
Depositions	3748.40	\$ 2,185,607.50
Client and Class Communications	113.30	\$ 58,212.50
Settlement	2,774.50	\$ 1,859,112.50
File Maintenance	2,174.80	\$ 847,870.00
TOTALS	33,952.70	\$ 18,164,987.50

EXHIBIT 3

EXHIBIT 3

Hagens Berman Sobol Shapiro LLP HOUSE/CARTER EXPENSE REPORT INCEPTION THROUGH DECEMBER 3, 2024	
CATEGORY OF EXPENSES	AMOUNT
Airfare	\$ 13,611.42
Court Reporters/Deposition Transcripts	\$ 455.80
Expert Fees	\$ 57,868.75
Overnight Shipping	\$ 3,286.15
Filing Fees	\$ 3,759.00
Internal Prints/Copies/Scans at \$0.25 per page	\$ 28,246.00
Hotel	\$ 9,081.53
Meals	\$ 2,060.00
Online Research (LexisNexis/Westlaw/PACER)	\$ 52,238.28
Messenger/Process Service	\$ 5,176.95
Postage	\$ 29.23
Ground Transportation	\$ 1,546.20
Parking	\$ 419.80
Miscellaneous Costs	\$ 161.14
TOTAL	\$ 177,940.25

EXHIBIT 4

EXHIBIT 4

HOUSE/CARTER LITIGATION FUND EXPENDITURE SUMMARY	
Experts & Analysis	\$ 7,706,740.22
OSKR	\$ 4,763,143.75
Desser Media, Inc.	\$ 2,392,369.81
Competition Dynamics LLC (Prof. Darrell Williams)	\$ 264,275.00
Hal Poret LLC	\$ 134,600.00
Applied Marketing	\$ 79,953.75
Brian Fitzpatrick	\$ 16,666.66
Robert Klonoff	\$ 49,781.25
Adam Gregg (Research Assistant to Robert Klonoff)	\$ 1,687.50
Lane Kadish (Research Assistant to Robert Klonoff)	\$ 2,750.00
Rosa Wolf (Research Assistant to Robert Klonoff)	\$ 1,512.50
Neutral Services	\$ 114,312.70
Resolutions LLC	\$ 114,312.70
Document Collection, Review, & Synthesis	\$ 185,430.60
Everlaw, Inc.	\$ 185,430.60
Deposition, Transcription & Videography	\$ 213,962.88
Ana Dub	\$ 88.80
Esquire Deposition Solutions, LLC	\$ 144,569.84
TSG Reporting	\$ 22,098.34
Veritext	\$ 47,205.90
TOTAL	\$ 8,220,446.40

EXHIBIT 5

EXHIBIT 5

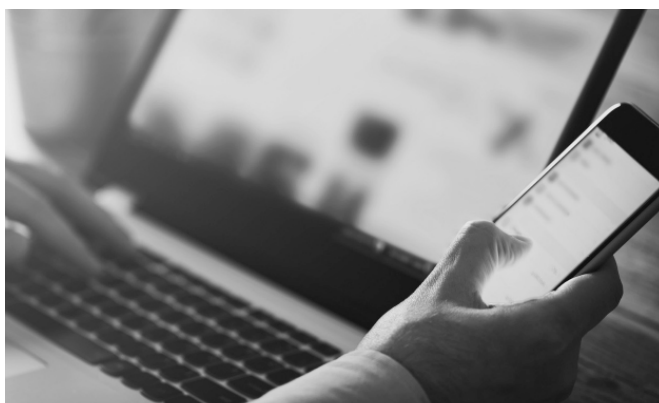
HOUSE/CARTER INTERNAL EXPENSES – ALL FIRMS	
Firm	Expenses
Hagens Berman Sobol Shapiro LLP	\$ 177,940.25
Winston & Strawn LLP	\$ 682,206.53
Spector Roseman & Kodroff PC	\$ 763.64
TOTAL	\$ 860,910.42

EXHIBIT 6

EXHIBIT 6

HOUSE/CARTER LODESTAR SUMMARY - ALL FIRMS		
Firm	Hours	Lodestar (Current Rates)
Hagens Berman Sobol Shapiro LLP	33,952.70	\$ 18,164,987.50
Winston & Strawn LLP	36,506.10	\$ 35,973,842.50
Spector Roseman & Kodroff PC	238.25	\$ 223,498.75
TOTAL	70,697.05	\$ 54,362,328.75

EXHIBIT 7



HAGENS BERMAN

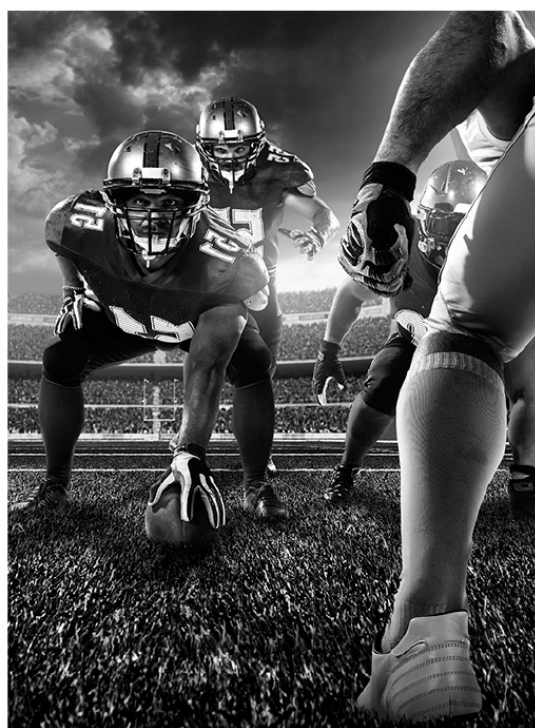
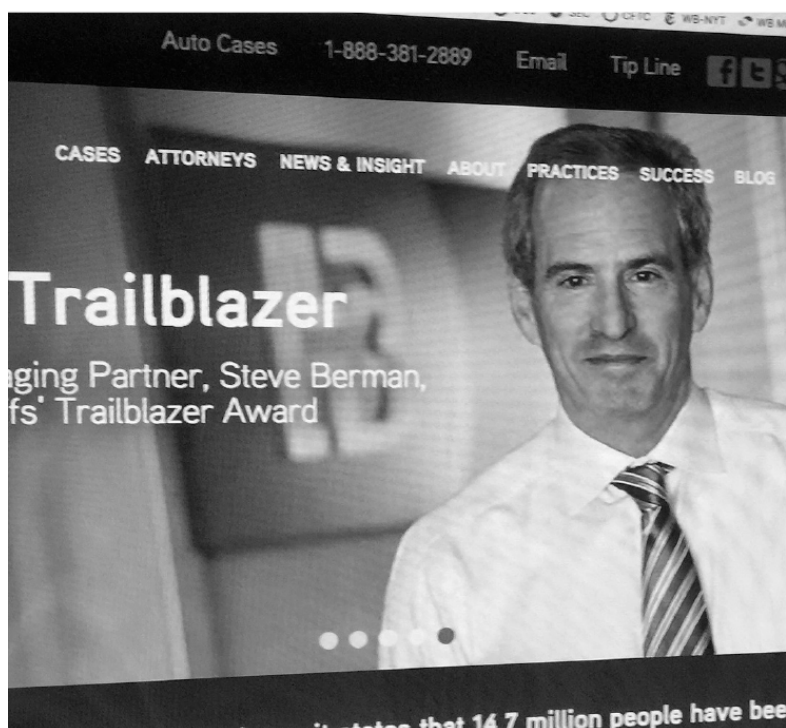


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RELEVANT EXPERIENCE

Litigation Against NCAA

20 YEARS OF LEVELING THE PLAYING FIELD FOR COLLEGE ATHLETES

ACTIVE NCAA LITIGATION

CASE	STATUS	POSITION	RESULT
<i>In re: National Collegiate Athletic Association Athletic Grant-In-Aid Cap Antitrust Litigation</i>	Settled	Co-Lead Counsel	\$208 Million
<i>In re: National Collegiate Athletic Association Student-Athlete Concussion Injury Litigation</i>	Settled	Lead Counsel	\$75 Million
<i>Keller et al v. Electronic Arts and National Collegiate Athletic Association</i>	Settled	Co-Lead Counsel	\$60 Million
<i>In re College Athlete NIL Litigation</i>	Settled, Preliminary Approval Granted	Co-Lead Counsel	\$2.78 Billion Pending Final Approval

College athletes have long been an integral part of one of the largest media conglomerates in U.S. history, college sports. The most necessary and skilled component of the NCAA's moneymaking venture, they historically have also been the least compensated, mercilessly denied fair compensation for their talent, their image use and rights, their injuries and their rights to college transfers. Our legal team is on their team.

No other law firm has stood against the NCAA as comprehensively as Hagens Berman, which has successfully brought class-action litigation against the NCAA concerning concussions; name, image and likeness (NIL) rights; and caps on grants-in-aid payments made to college athletes by schools and conferences.

NCAA Grants-in-Aid Scholarships Litigation (aka "Alston case," in the press)

\$208 Million Settlement, Permanent Injunction Upheld by the U.S. Supreme Court

Hagens Berman's antitrust class action, claiming the NCAA had violated the law when it kept the class from being able to receive compensation other than cash by schools or conferences for athletic services, culminated in a \$208 million settlement. The Supreme Court upheld the favorable opinion of the Ninth Circuit in a 9-0 ruling. Justice Kavanaugh's opinion further underscored the massive win for plaintiffs and the ruling's ongoing effects.

NCAA Name, Image and Likeness (NIL) Litigation

\$2.78 Billion Settlement, Pending Final Approval

Using the Alston precedent, Hagens Berman's NIL lawsuit accuses the NCAA and conferences of illegally limiting the compensation that Division I college athletes may receive for the use of their names, images, likenesses and athletic reputations. Thousands of college athletes have taken advantage of the NIL opportunities opened by the Alston case to the tune of multimillion-dollar deals now available to them since the NCAA loosened its restrictions on July 1, 2021. In 2023, three classes of college athletes were certified regarding damages in the case, meaning, the NCAA faces monetary loss in the lawsuit, not just court action restraining its antitrust behavior. Damages were based on payments college athletes would have received if not for the NCAA's restraints. These revenues include those from three areas: television broadcasts, video games and other revenue sources and led to the historic \$2.78 billion settlement reached in October 2024.

NCAA Concussions**\$75 Million Settlement, 50-year Medical Monitoring Fund**

The firm's lawsuit against the NCAA concerning concussions culminated in a proposed settlement that will provide a 50-year medical-monitoring program for student-athletes to screen for and track head injuries; make sweeping changes to the NCAA's approach to concussion treatment and prevention; and establish a \$5 million fund for concussion research, approved by the court.

NCAA Video Game Likeness**\$60 Million in Combined Settlements**

Hagens Berman brought this groundbreaking case that marked the first time in the history of the NCAA that the organization is paying student-athletes for rights related to their play on the field, compensating them for their contribution to the profit-making nature of college sports. The settlements were reached in 2014, and more than 24,000 student-athletes were found eligible to receive payment under the settlements. Checks were issued to approximately 15,000 players, some for up to \$7,600, with a median amount of \$1,100.

PRIOR FOUNDATIONAL CASES**2004 | NCAA Walk-On Players Andy Carroll v. NCAA**

Hagens Berman began its representation of NCAA college athletes seeking to represent a proposed class of thousands of walk-on players claiming the NCAA's cost-cutting scholarship restrictions exploited them. The lawsuit accused the NCAA of illegal restraint while "stadiums gain glitz and coaches get rich." According to the lawsuit, prior to 1977, schools were permitted to offer as many scholarships as they deemed appropriate, but today the NCAA limits the number to 85.

2008 | NCAA Consumer Ticket Prices George et al. v. NCAA and Ticketmaster

In this proposed class action, Hagens Berman accused the NCAA and Ticketmaster of operating illegal lotteries to sell and distribute tickets to certain NCAA Division 1 championship tournaments. The lawsuit sought to represent consumers who attempted to buy tournament tickets by participating in lotteries set up by the NCAA.

2009 | Video Game NIL Samuel Keller et al v. Electronic Arts Inc and National Collegiate Athletic Association

Hagens Berman filed a class-action lawsuit against the NCAA and Electronic Arts, Inc. claiming the companies illegally use college football and basketball players' names and likenesses in video games without permission or consent from the player. The Keller case established college athletes' right to recover the value of their NIL if it was used without their consent, and Alston went on to show that not permitting those rights to be managed by the student-athletes themselves was improper.

2009 | Video Game NIL O'Bannon v. NCAA

In a separate lawsuit, the firm represented former UCLA basketball player Ed O'Bannon in a case challenging the NCAA's use of college athlete publicity rights in television broadcasts. The O'Bannon case was denied class certification, and a federal judge's favorable ruling on the case's claims was partially reversed by an appeals court in 2015. It was denied review by the Supreme Court in 2016.

2010 | NCAA Financial Aid & Compensation Agnew v. NCAA

In Agnew v. NCAA, the firm filed a proposed national class-action lawsuit claiming the authority governing most aspects of collegiate sports has conspired with colleges and universities to impose artificial limits on sports scholarships, actions the suit claims violate federal antitrust laws. The lead plaintiff in the lawsuit,

former Rice University football player Joseph Agnew, had been heavily recruited by several top-tier Division I schools. Agnew accepted a full scholarship to Rice and played football starting in 2006 as a freshman. During his sophomore year, the coach who recruited Agnew left Rice to coach at another Division I school, and Agnew saw his playing time significantly reduced under the new coaching regime, according to the lawsuit.

2011 | NCAA Concussions Owens et al. v NCAA

In this proposed class action, the firm represented Andre Owens, a former Howard University football player, against the NCAA and the university, claiming “...up until 2010, Defendants NCAA and Howard kept players and the public in the dark about an epidemic that was slowly killing former college athletes.” In a single football season, the complaint reads, athletes absorb more than 1,000 impacts greater than 10 Gs (gravitational forces), with the majority of them exceeding 20 Gs, and some approaching 100 Gs or force.

2012 | NCAA Concussions Arrington et al. v NCAA

This class action merged the Owens case with claims from various plaintiffs – Derek Owens, Mark Turner and Angela Palacio. to bring further pressure on the NCAA, urging swift action to minimize impacts of the NCAA’s alleged ongoing negligence and oversight concerning concussions, protocols and return-to-play guidelines.

2012 | NCAA Financial Aid & Compensation Rock v. NCAA

A highly recruited college quarterback whose scholarship was revoked after a coaching change challenged the NCAA in court, claiming that the organization’s limits on scholarships violate federal antitrust laws. Rock was recruited by a number of Division I schools, and ultimately decided to attend Gardner-Webb University in North Carolina after the school offered a football scholarship. The coach at Gardner-Webb allegedly promised Rock that as long as he remained eligible for competition and kept his grades up, he would get to keep his scholarship. However, shortly after Rock agreed to take an internship, Gardner-Webb replaced its football coach. The new coach questioned Rock’s commitment to the team and expressed dissatisfaction with his choice to accept the internship, which would necessitate missing some practice sessions, the complaint states. Ultimately, Rock’s scholarship was revoked.

2013 | NCAA Concussions Silk v. Bowling Green University

In the continued fight for college athletes’ health and wellness, Hagens Berman filed a lawsuit against Bowling Green State University and its football staff members on behalf of a former college athlete, Cody Silk, alleging that they failed to protect the player from multiple concussions and residual head trauma.

2014 | NCAA Concussions Walen v. Portland State University et al.

Hagens Berman filed a lawsuit on behalf of player Zach Walen against Portland State University, Oregon Health Sciences University and the NCAA for failing to provide appropriate post-concussion medical care and negligently clearing him to return to football. Walen, whose father Mark Walen is a former NFL (Dallas Cowboys) player and former NCAA college football athlete, was recruited to play football for the PSU Vikings but suffered a severe concussion after receiving a direct blow to his head during his first game on Sept. 1, 2012.

2014 | NCAA Financial Aid & Compensation Alston v. NCAA et al

Hagens Berman filed the first-of-its-kind lawsuit alleging that the NCAA and these five Power Conferences have systematically colluded to disrupt the free market and deprive FBS football and Division I men’s and women’s basketball players of the full economic benefits of their labor. According to the complaint, NCAA rules artificially depress the value of athletic scholarships — known as Grants-in-Aid or GIAs — to typically several thousand dollars less per year, per player, than the actual cost to attend an NCAA school. In late 2017, U.S. District Judge Claudia Wilken granted final approval of a \$208 million settlement on behalf of the tens of thousands of current and former college-athletes impacted by the prior NCAA cap on grant-in-aid scholarships. On Sept. 23, 2021, the NCAA’s Southeastern Conference (SEC) became the first conference

to formally allow college-athletes to begin receiving the education-based benefits resulting from the Supreme Court's 9-0 ruling in Hagens Berman's Alston case. Schools are now allowed to provide benefits tethered to education up to \$6,000 per year.

2014 | NCAA Financial Aid & Compensation Kindler v. NCAA et al

On behalf of a former college football player, Hagens Berman filed an antitrust class-action lawsuit against the NCAA and its most powerful conference members claiming they agreed in violation of national antitrust laws to unlawfully cap the value of athletic scholarships. The plaintiff, former West Virginia University offensive lineman Nick Kindler, contended that the NCAA's valuation of athletic scholarships is far below the actual cost of attending school, and far below what the free market would bear. The firm planned that the Alston and Kindler cases be combined so that the players could fight together for the rights of all football players in the major conferences.

2015 | NCAA Insurance & Medical Bills

The firm investigated the rights to reimbursement for out-of-pocket medical expenses from athletic-related injuries for those harmed by limited health insurance coverage for college athletes.

2015 | Transfer Rights Pugh v. NCAA

Former Weber State cornerback Devin Pugh filed this class-action lawsuit challenging the NCAA's transfer rules, alleging hypocrisy when coaches change jobs. Pugh was promised a four-year scholarship at Weber State which was pulled when Wildcats coach Ron McBride retired in 2011. A year later, his grant-in-aid was no longer promised by McBride's successor.

2016 | Transfer Rights Deppe v. NCAA

The firm filed an antitrust class-action lawsuit on behalf of a Division I college-athlete at Northern Illinois University against the NCAA, calling its transfer rules "unlawful" and anticompetitive. The lawsuit sought to represent any NCAA Division I football player who, since November 2011, sought to transfer from one NCAA Division I football school to another, but was athletically ineligible to participate in NCAA Division I football for any period under the NCAA's transfer rules.

2016 | Transfer Rights Vassar v. NCAA

In this proposed class action, the plaintiff, John "Johnnie" Vassar, was a men's basketball player who joined Northwestern during the 2014-2015 academic year. The suit states that the transfer rules established by the NCAA and carried out by Northwestern, "restrict the freedom of student athletes in violation of antitrust law." After accepting an athletic scholarship to Northwestern, Johnnie was subjected to a variety of efforts from the university to transfer and to take away his athletic scholarship, including verbal harassment, falsified records of misconduct and more.

2020 | Name, Image and Likeness Rights House v. NCAA

Hagens Berman represents Grant House, a current member of ASU men's swimming and diving team, and Sedona Prince, a current member of the University of Oregon women's basketball team, in a class-action lawsuit against the NCAA. The lawsuit seeks to hold the NCAA accountable to college athletes via injunction and damages for the NCAA's alleged antitrust violations regulating the profits gained from the use of college athletes' names, images and likenesses.

2023 | Post-Alston Scholarship Payments | Hubbard v. NCAA

Hagens Berman filed this follow up lawsuit to Alston alleging that certain NCAA member schools have failed to comply with the Alston ruling establishing that member schools may pay college athletes up to \$5,980 in funds as part of their recruiting, allegedly preventing college athletes from receiving the payments they deserve.

2023 | NCAA Pay-for-Play | Carter v. NCAA et al.

Hagens Berman filed a new lawsuit against the NCAA alleging it has violated antitrust laws via its rules preventing student athletes from receiving a portion of television broadcast and other revenue produced by their labor. The Power Five Conferences alone hold contracts that will generate \$20 billion in TV broadcast revenue, of which student athletes will not see a dime, and Hagens Berman believes this is a clear example of illegal wage-fixing.

2023 | Rights to Fair Play: Title IX

Hagens Berman is investigating reports that a number of intercollegiate athletics programs may have violated Title IX, a federal law that prohibits gender discrimination at publicly funded universities. For example, reports found that, in the 2018-19 and 2019-20 seasons, for every dollar Division I schools spent on travel, equipment and recruitment for male athletes, they spent only 71 cents on female athletes. Additionally, some universities may have artificially inflated the number of women on their athletics rosters to make it appear that they are in compliance with Title IX when they actually are not.

RELEVANT EXPERIENCE

Antitrust Leadership Positions

Hagens Berman's work in antitrust class-actions led to tremendous recoveries for consumers and monumental victories in this complex area of law. Our antitrust legal team takes an innovative, efficient approach to antitrust law and tries each case with unmatched determination and skill. This dedication has led to historic recoveries, including the largest antitrust settlement in history at its time (Visa Check/MasterMoney Antitrust Litigation), recovery to consumers totaling twice their losses (*In Re: Elec. Books Antitrust Litig.*), one of the largest U.S. classes ever certified (*In re Broiler Chicken Antitrust Litigation*) and one of the largest certified indirect purchaser cases at the time (*Keller et al v. Electronic Arts Inc and National Collegiate Athletic Association*). The firm also championed the two largest U.S. antitrust recoveries in 2022, totaling nearly \$800 million (*In re: Ranbaxy Generic Drug Application Antitrust Litigation* and *In re Glumetza Antitrust Litigation*). Hagens Berman's antitrust lawyers also recently culminated a legal blitz on the NCAA, "leaving the NCAA more vulnerable than ever" (Associated Press) and "delivered a heavy blow" (Washington Post) in *NCAA Grants-in-Aid Scholarships Litigation* and *NCAA Name, Image and Likeness (NIL) Litigation*. The firm's antitrust attorneys have been awarded as Elite Trial Lawyers by The National Law Journal, a Practice Group of the Year by Law360 and have been highlighted for multiple Outstanding Antitrust Litigation achievements by the American Antitrust Institute.

In a firm where sizable settlements and impactful victories are routinely achieved and awarded, our successes have only spurred a greater dedication to our capabilities. We remain hungry for opportunities to make the world a fairer place for consumers and to ensure the world's largest corporations play by the rules.

Note: Cases may appear in more than one practice to give full picture of work in any one practice area.

SPORTS ANTITRUST LITIGATION

CASE NAME	CASE NAME	CASE NAME	CASE NAME
NCAA Athletic Grant-in-Aid Cap Antitrust	Co-Lead Counsel	Damages Claims Settled; Injunction Granted After Trial	\$208 Million
NCAA/EA Video Games Likeness	Co-Lead Counsel	Settled	\$60 Million
NCAA Student-Athlete Name, Image and Likeness	Co-Lead Counsel	Settlement Submitted for Preliminary Approval	Multibillion

BIG TECH ANTITRUST LITIGATION

CASE NAME	POSITION	CASE STATUS	SETTLEMENT
Apple E-Books Antitrust Litigation	Co-Lead Counsel	Settled	\$616 Million
Apple iOS App Developers Antitrust	Class Counsel	Settled	\$100 Million
Google Play Store App Developers Antitrust	Co-Lead Counsel	Settled	\$90 Million
Amazon Buy Box Antitrust (U.K.)	Co-Lead Counsel	Active	
Amazon E-Books Price-Fixing Antitrust	Co-Lead Counsel	Active	
Amazon.com Antitrust (De Coster)	Co-Lead Counsel	Active	
Amazon Online Retailer Consumer Antitrust (Frame-Wilson)	Interim Co-Lead Counsel	Active	
Facebook Antitrust	Interim Co-Lead Counsel	Active	

AGRICULTURAL ANTITRUST LITIGATION

CASE NAME	POSITION	CASE STATUS	SETTLEMENT
Dairy Price-Fixing Litigation	Class Counsel	Settled	\$52 Million
Poultry Processing Wage-Fixing Antitrust	Interim Co-Lead Counsel	<i>Settlements Reached, Litigation Ongoing with Remaining Defendants</i>	<i>\$217.2 Million Reached</i>
Broiler Chicken Antitrust	Co-Lead Counsel	<i>Settlements Reached</i>	<i>\$181 Million</i>
Pork Antitrust	Co-Lead Counsel	<i>Settlements Reached</i>	<i>\$95 Million</i>
Turkey Antitrust	Interim Co-Lead Counsel	<i>Settlements Reached</i>	<i>\$4.62 Million</i>
Beef Antitrust	Interim Co-Lead Counsel	Active	

CONSUMER PROTECTION ANTITRUST LITIGATION

CASE NAME	POSITION	CASE STATUS	SETTLEMENT
EA Madden NFL Antitrust	Class Counsel	Settled	\$27 Million
Real Estate Commissions Antitrust	Co-Lead Counsel	<i>Settlements Reached</i>	<i>\$730 Million</i>
Yardi Rent Price-Fixing Antitrust	Interim Class Counsel	Active	

EMPLOYMENT ANTITRUST LITIGATION

CASE NAME	CASE NAME	CASE NAME	CASE NAME
Animation Workers Antitrust	Co-Lead Counsel	Settled	\$168.95 Million
Poultry Processing Wage-Fixing Antitrust	Interim Co-Lead Counsel	<i>Settlements Reached, Litigation Ongoing with Remaining Defendants</i>	<i>\$217.2 Million Reached</i>

FEE OVERPRICING ANTITRUST LITIGATION

CASE NAME	POSITION	CASE STATUS	SETTLEMENT
Visa Check/MasterMoney Antitrust	Co-Lead Counsel	Settled	\$25 Billion
Visa MasterCard ATM	Co-Lead Counsel	<i>Settlements in Progress</i>	<i>\$66.7 Million Approved, \$197.5 Preliminarily Approved</i>

PHARMACEUTICAL FRAUD ANTITRUST LITIGATION

CASE NAME	CASE NAME	CASE NAME	CASE NAME
Glumetza Antitrust	Co-Lead Counsel	Settled	\$453.85 Million
Suboxone Antitrust	Co-Lead Counsel	Settled	\$385 Million
Ranbaxy Inc. Antitrust	Co-Lead Counsel	Settled	\$340 Million
Flonase Antitrust	Co-Lead Counsel	Settled	\$150 Million
Prograf Antitrust	Co-Lead Counsel	Settled	\$98 Million
Celebrex Antitrust	Interim Lead Counsel	Settled	\$94 Million
Lipitor Antitrust	Co-Lead Counsel	Settled	\$93 Million
Skelaxin Antitrust	Lead Counsel	Settled	\$73 Million
Tricor Antitrust	Co-Lead Counsel	Settled	\$65.7 Million
Allergan Restasis Antitrust	Interim Lead Counsel	Settled	\$51.25 Million

Toprol XL Antitrust	Co-Lead Counsel	Settled	\$20 Million
Zetia Antitrust	Lead Counsel & Interim Class Counsel	Settled	Confidential
Generic Pharmaceuticals Pricing Antitrust	PSC	<i>Settlement in Progress</i>	<i>\$86 Million</i>
Intuniv Antitrust	Lead Counsel	<i>Settlements Reached</i>	
Effexor XR Antitrust	Interim Class Counsel	Active	
Gilead HIV Antiretroviral Antitrust	Co-Lead Counsel	Active	
Nexium Antitrust	Co-Lead Counsel	Active	
Sensipar Antitrust Litigation	Co-Lead Counsel	Active	
Tracleer Antitrust	Co-Lead Counsel	Active	
Niaspan Antitrust	Co-Lead Counsel	Active	
Actos Antitrust	Interim Co-Lead Counsel	Active	
Vascepa Antitrust	Interim Co-Lead Counsel	Active	
Xyrem Antitrust Litigation	PSC	Active	

RELEVANT EXPERIENCE

Antitrust Litigation Experience

SPORTS ANTITRUST LITIGATION

No other law firm has stood against the NCAA as comprehensively as Hagens Berman, which has successfully brought antitrust class-action litigation against the NCAA concerning concussions; name, image and likeness (NIL) rights; and caps on grants-in-aid payments made to college athletes by schools and conferences. Hagens Berman has pioneered the area of sports litigation, fighting for the rights of student-athletes across the nation, and our firm continues to expand this area of practice through our novel applications of the law.

CASE	STATUS	POSITION	RESULT
NCAA Athletic Grant-in-Aid Cap Antitrust	Damages Claims Settled; Injunction Granted After Trial	Co-Lead Counsel	\$208 Million
NCAA/EA Video Games Likeness Antitrust	Settled	Co-Lead Counsel	\$60 Million
NCAA Student-Athlete Name, Image and Likeness Antitrust	Active ✓ MTD Denied ✓ Class Certified	Co-Lead Counsel	<i>\$2.78 Billion Settlement Preliminarily Approved</i>
NCAA Transfer Antitrust	Active ✓ MTD Denied		
NCAA College Athlete Scholarship Payments	Active		
NCAA Student-Athlete Pay to Play	Active		

AGRICULTURAL ANTITRUST LITIGATION

The firm's total settlements in this area of litigation are valued at more than \$636.32 million and have affected the lives of U.S. consumers and employees in the meat-processing industry. As inflation continues to rise, combatting anticompetitive schemes raising the cost of food is an issue pertinent to families across the nation.

CASE	STATUS	POSITION	RESULT
Dairy Price-Fixing Litigation	Settled	Class Counsel	\$52 Million
Pork Antitrust	Active ✓ Class Certified	Co-Lead Counsel	\$95 Million, Litigation Ongoing
Broiler Chicken Antitrust	Active ✓ MTD Denied ✓ Class Certified	Co-Lead Counsel	<i>\$181 Million Preliminarily Approved</i>
Beef Antitrust	Active ✓ MTD Denied	Interim Co-Lead Counsel	
Turkey Antitrust	Active ✓ MTD Denied	Interim Co-Lead Counsel	
Southwest Dairy Farmer Antitrust	Active		

CONSUMER PROTECTION ANTITRUST LITIGATION

Hagens Berman's consumer-focused approach has led to historic verdicts and achievements, making real change happen. Our cases have affected millions of consumers and continue to impact everyday lives each year.

CASE	STATUS	POSITION	RESULT
EA Madden NFL Antitrust	Settled	Class Counsel	\$27 Million
Hotel Room Overpricing	Settled		Confidential Settlement
Real Estate Commissions Antitrust	Active ✓ MTD Denied ✓ Class Certified	Co-Lead Counsel	\$418 Million Approved, Additional \$229.8 Million at Various Stages
SmileDirectClub Aligners Price-Fixing Antitrust	Active		\$27.5 Million Settlement Reached
Las Vegas Hotels Price-Fixing Antitrust	Active ✓ MTD Denied		
Yardi Rent Price-Fixing Antitrust – Nationwide	Active	Interim Class Counsel	
PayPal Fees Antitrust	Active		

EMPLOYMENT ANTITRUST LITIGATION

Hagens Berman's antitrust legal team focuses on improving the lives of everyday people, including investigating and litigating instances of wage-fixing. The firm has secured settlements in various areas of employment, often in those whose employers hire veterans and other marginalized communities.

CASE	STATUS	POSITION	RESULT
Animation Workers Antitrust	Settled	Co-Lead Counsel	\$169 Million
Poultry Processing Wage-Fixing Antitrust	Active ✓ MTD Denied	Interim Co-Lead Counsel	\$217.2 Million at Various Stages
Red Meat Processing Wage-Fixing Antitrust	Active ✓ MTD Denied		\$200.2 Million at Various Stages
Aerospace Employee Wage-Fixing Antitrust	Active		
Naval Architects and Marine Engineers Wage-Fixing Antitrust	Active		

FEES ANTITRUST LITIGATION

One of our firm's key strengths is its eye for detail. Hagens Berman's legal team includes attorneys versed in forensic accounting, and between our legal team and hired experts, we leave no stone unturned, uncovering fraud in the area of fees and unlawful antitrust schemes.

CASE	STATUS	POSITION	RESULT
Visa Check/MasterMoney Antitrust	Settled	Co-Lead Counsel	\$25 Billion
Visa MasterCard ATM Antitrust	Active	Co-Lead Counsel	\$66.7 Million, \$197.5 Million Pending
PayPal Fees Antitrust	Active		

ANTITRUST LITIGATION AGAINST HIGH TECH COMPANIES

Hagens Berman brings cutting edge cases against major tech companies. We leverage our resources, breadth of knowledge and expert litigation strategies against harmful anticompetitive practices, price-fixing and other instances of antitrust schemes perpetrated by Big Tech. While some of these companies believe they are too big to fail, our firm is well-practiced in uncovering wrongdoing and holding responsible parties accountable for widespread anticompetitive practices that can harm millions.

CASE	PRIMARY PRACTICE AREA	STATUS	POSITION	RESULT
Apple E-Books Antitrust Litigation	Antitrust	Settled	Co-Lead Counsel	\$616 Million
Apple iOS App Developers US	Antitrust	Settled	Class Counsel	\$100 Million
Google Play Store App Developers	Antitrust	Settled	Co-Lead Counsel	\$90 Million
Amazon Online Retailer Consumer Antitrust (Frame-Wilson)	Antitrust	Active ✓ MTD Denied	Interim Co-Lead Counsel	
Amazon Buy Box U.K.	Antitrust	Active ✓ Permission to Appeal Refused	Co-Lead Counsel	
Amazon E-Books Price-Fixing	Antitrust	Active ✓ MTD Denied	Co-Lead Counsel	
Amazon.com Antitrust (De Coster)	Antitrust	Active ✓ MTD Denied	Co-Lead Counsel	
Facebook Antitrust	Antitrust	Active ✓ MTD Denied	Interim Co-Lead Counsel	
Amazon.com Consumer Fraud	Antitrust	Active ✓ MTD Denied		
Apple & Amazon.com iPhone & iPad Overpricing Antitrust	Antitrust	Active ✓ MTD Denied		
Apple Pay Payment Card Issuer Antitrust	Antitrust	Active ✓ MTD Denied		
Amazon Buy Box U.S.	Antitrust	Active		
Apple iCloud Antitrust	Antitrust	Active		
Apple iPhone Overpricing Antitrust	Antitrust	Active		

MANUFACTURER PRICE-FIXING ANTITRUST LITIGATION

In antitrust law, price-fixing schemes are cloistered within heavily shrouded groups of major market kingpins. Therein, they seek to protect and hide their behavior. Manufacturing is a common landscape for this behavior, and our antitrust team is well-versed in investigating antitrust fraud in this space.

CASE	STATUS	POSITION	RESULT
Batteries Antitrust	Settled	Co-Lead Counsel	\$113 Million
DRAM Manufacturers	Settled	Class Counsel	\$406 Million
LG Philips and Toshiba LCD	Settled		\$470 Million
Optical Disc Drives (ODD)	Settled	Lead Counsel	\$205 Million
Panasonic Resistors Antitrust	Settled	Co-Lead Counsel	\$50 Million

PHARMACEUTICAL FRAUD ANTITRUST LITIGATION

In the pharmaceutical arena, Hagens Berman represents purchasers of all types in lawsuits alleging that drug companies illegally blocked or delayed generic drugs from coming to market. By keeping generics out of the market, drug companies force purchasers to continue buying their expensive brand-name drugs, lining drug companies' pockets at the expense of those who pay for drugs. Our firm's pharmaceutical antitrust recoveries have returned many hundreds of millions of dollars to purchasers.

CASE	STATUS	POSITION	RESULT
Glumetza Antitrust	Settled	Co-Lead Counsel	\$453 Million
Suboxone Antitrust	Settled	Co-Lead Counsel, Direct Purchaser Class	\$385 Million
Ranbaxy Inc. Antitrust	Settled	Co-Lead Counsel	\$340 Million
Flonase Antitrust	Settled	Co-Lead Counsel	\$150 Million
Prograf Antitrust	Settled	Co-Lead Counsel	\$98 Million
Celebrex Antitrust	Settled	Interim Lead Counsel	\$94 Million
Lipitor Antitrust	Settled	Co-Lead Counsel	\$93 Million
Relafen Antitrust	Settled		\$75 Million
Skelaxin Antitrust	Settled	Lead Counsel	\$73 Million
Tricor Antitrust	Settled	Co-Lead Counsel	\$65 Million
Allergan Restasis Antitrust	Settled	Interim Lead Counsel	\$51 Million
Toprol XL Antitrust	Settled	Co-Lead Counsel	\$20 Million
Zetia Antitrust	Settled	Lead Counsel & Interim Class Counsel	Confidential Terms
Generic Pharmaceuticals Pricing Antitrust	Active	Plaintiffs' Steering Committee	<i>\$86 Million Preliminarily Approved</i>
Actos Antitrust	Active	Interim Co-Lead Counsel	
Effexor XR Antitrust	Active	Interim Class Counsel	
Gilead HIV Antiretroviral Antitrust	Active	Co-Lead Counsel	

HAGENS BERMAN SOBOL SHAPIRO LLP

Intuniv Antitrust	Active	Lead Counsel
Niaspan Antitrust	Active	Co-Lead Counsel, Direct Purchaser Class
Sensipar Antitrust Litigation	Active	Co-Lead Counsel
Tracleer Antitrust	Active	Co-Lead Counsel
Vascepa Antitrust	Active	Interim Co-Lead Counsel
Xyrem Antitrust Litigation	Active	Plaintiffs' Steering Committee
Amitiza Antitrust	Active	
Copaxone Antitrust	Active	
Eylea Antitrust	Active	
Lantus (Insulin Glargine) Antitrust	Active	
Pomalyst (Pomalidomide) Antitrust	Active	
Revlimid Antitrust	Active	
Stelara Antitrust	Active	

TEAM



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YEARS OF EXPERIENCE

44

PRACTICE AREAS

Anti-Terrorism
Automotive Litigation
Civil & Human Rights
Class Action
Consumer Rights
Emissions Litigation
Environmental Litigation
Governmental Representation
High Tech Litigation
Intellectual Property
Investor Fraud
Patent Litigation
Qui Tam
Securities
Sexual Abuse & Harassment
Sports Litigation
Whistleblower

BAR ADMISSIONS

- Illinois
- Washington
- Foreign Registered Attorney in England and Wales

COURT ADMISSIONS

- Supreme Court of the United States

MANAGING PARTNER

Steve W. Berman

Served as co-lead counsel against Big Tobacco, resulting in the **largest settlement in world history**, and at the time **the largest automotive, antitrust, ERISA and securities settlements in U.S. history**

INTRODUCTION

Steve Berman has dedicated this career as a class-action plaintiffs' lawyer to improving the lives of those most in need. He represents large classes of consumers, investors and employees in large-scale, complex litigation held in state and federal courts. Steve's trial experience has earned him significant recognition and led The National Law Journal to name him one of the 100 most powerful lawyers in the nation, and to repeatedly name Hagens Berman one of the top 10 plaintiffs' firms in the country. Steve's class-action lawsuits have led to record-breaking settlements, historic changes to industries and made real change possible for millions of individuals.

Steve co-founded Hagens Berman in 1993 after his prior firm refused to represent several young children who consumed fast food contaminated with E. coli — Steve knew he had to help. In that case, Steve alleged that the poisoning was the result of Jack in the Box's cost cutting measures and negligence. He was further inspired to build a firm that vociferously fought for the rights of those most in need. Berman's innovative approach, tenacious conviction and impeccable track record have earned him an excellent reputation and numerous historic legal victories. He is considered one of the nation's most successful class-action attorneys and has been praised for securing tangible benefits for class members, as well as outstanding monetary relief. Steve is particularly known for his tenacity in forging settlements that return a high percentage of recovery or meaningful industry change to class members.

[Print & Online Feature Interviews »](#)

CURRENT ROLE

- Managing Partner of Hagens Berman Sobol Shapiro LLP and Hagens Berman EMEA LLP (U.K.), U.S. Managing Member of HBSS France

CURRENT CASES

Steve leads the firm's efforts in the areas of antitrust, consumer protection and more, maintaining a leading edge amid shifting trends and technology. His active cases concern billions of dollars in damages and affect hundreds of millions of individuals. Steve's caseload spans several industries, including technology, college sports, agriculture and wages and include the following highlights.

ANTITRUST LITIGATION

The antitrust lawsuits that Steve Berman has led have secured settlements valued at more than \$27 billion, spotlighting anticompetitive practices that have harmed consumers across various industries. Steve's outstanding work in this field has earned

- U.S. Court of Appeals for the First Circuit
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Court of Appeals for the D.C. Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Federal Claims
- U.S. District Court for the District of Colorado
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Central District of Illinois
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Eastern District of Washington
- U.S. District Court for the Western District of Washington
- Supreme Court of Illinois
- Supreme Court of Washington

EDUCATION

the firm accolades and awards, and his current caseload speaks to the breadth of the firm's impact.

CASE	DESCRIPTION
Amazon Buy Box	Class action against Amazon for violating state consumer protection laws through the alleged use of a biased algorithm Status: Complaint filed
Amazon E-Books Price-Fixing Co-Lead Counsel	Class action accusing Amazon of establishing an illegal monopoly of the e-books market and charging artificially inflated prices Status: Court denies Amazon's motion to dismiss monopoly claims
Amazon Online Retailer Consumer Antitrust (Frame-Wilson) Interim Co-Lead Counsel	Class action accusing Amazon of increasing prices for online purchases made via other retailers Status: Amazon's motion to dismiss claims denied
Amazon.com Antitrust (De Coster) Co-Lead Counsel	Class action accusing Amazon of violating federal antitrust laws, causing customers to pay artificially high prices for products purchased via Amazon Status: Motion to dismiss denied
Apple iCloud Antitrust	Class action accusing Apple of violating antitrust laws and establishing a monopoly through its iOS cloud-based storage policies Status: Complaint filed
Apple Pay Payment Card Issuer Antitrust	Class action accusing Apple of intentionally monopolizing the billion-dollar mobile wallet market on iOS platforms, forcing payment card issuers to pay supracompetitive fees and stifling innovation Status: Motion to dismiss denied in part
NCAA Student-Athlete Name, Image and Likeness Co-Lead Counsel	Class action representing current and former NCAA college athletes accusing the NCAA and its conferences of illegally limiting the compensation athletes may receive for the use of their names, images and likenesses Status: Preliminary approval of \$2.78 billion settlement granted
Real Estate Commissions Antitrust Co-Lead Counsel	Class action against four national broker franchises alleging parties illegally inflated commissions associated with home sales Status: Settlements reached totaling \$693.2 million
Visa Mastercard ATM Co-Lead Counsel	Class action alleging that Visa and MasterCard, with BofA, JP Morgan Chase and Wells Fargo, established uniform agreements with U.S. banks, preventing ATM operators from setting access fees below the level of fees charged on Visa's and MasterCard's networks \$197.5 million settlement with Visa and Mastercard receives preliminary approval, bringing total settlements to \$264.2 million if approved

AGRICULTURE ANTITRUST LITIGATION

The firm's total settlements in this area of litigation is valued at more than \$636.32 million and have affected the lives of U.S. consumers and employees in the meat-processing industry. As inflation continues to rise, combatting anticompetitive schemes raising the cost of food is an issue pertinent to families across the nation.

AWARDS

Law360
TITANS
OF THE PLAINTIFFS BAR

THE NATIONAL
LAW JOURNAL
**ELITE TRIAL
LAWYERS**

THE NATIONAL
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STATE OF WASHINGTON
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CASE	DESCRIPTION
Poultry Processing Wage-Fixing Antitrust Interim Co-Lead Counsel	Class action alleging wage-fixing agreement between the nation's biggest poultry companies Status: Settlements reached totaling \$217.2 million
Red Meat Processing Wage-Fixing Antitrust	Class action against the nation's largest meat processing companies alleging a yearslong wage-fixing agreement, causing employees to receive far less than legally owed Status: : Settlements pending before the court total \$200.2 million
Beef Antitrust Interim Co-Lead Counsel	Class action alleging major food corporations engaged in illegal conduct regarding the marketing and sales of beef products Status: Motion to dismiss denied
Broiler Chicken Antitrust Co-Lead Counsel	Class action accusing major food corporations of increasing the price of chicken in violation of antitrust laws Status: Settlements totaling \$181 million are pending court approval, class certification granted
Pork Antitrust Co-Lead Counsel	Class action alleging pork producers colluded to reduce pork production to artificially inflate prices Status: Settlements reached totaling \$95 million
Turkey Antitrust Interim Co-Lead Counsel	Class action alleging antitrust scheme by food corporations Status: Settlement reached with Tyson for \$4.62 million, seven remaining defendants

AUTO DEFECT & EMISSIONS LITIGATION

Hagens Berman's settlements in automotive defect and emissions lawsuits are collectively valued at more than \$21.4 billion and have led to significant safety protocols and changes in the auto industry. Steve's expertise leading complex litigation has led him to be hand-selected to champion the rights of vehicle owners. He remains dedicated to unearthing new instances of defect coverups, emissions cheating and safety concerns, utilizing the firm's resources to lead the charge against negligence.

CASE	DESCRIPTION
Hyundai/Kia Car Theft Defect Co-Lead Counsel	Class action stemming from Hyundai and Kia's failure to equip nearly nine million vehicles with an immobilizer antitheft device Status: Settlement granted final approval
Daimler Mercedes BlueTEC Emissions – Australia Advisory Role	Following Hagens Berman's \$700 million settlement with Mercedes for alleged emissions cheating in the U.S., the firm has taken an advisory role in comparable litigation against Daimler filed in Australia. Status: Pending and active
FCA Dodge RAM 2500/3500 Emissions – 2007-2012 & 2013-2023	Class action alleging Fiat Chrysler/Stellantis and Cummins placed emissions-cheating defeat devices in affected RAM trucks Status: 2007-2012 models: motion to dismiss denied in part; 2013-2023 models: complaint filed
FCA Chrysler Pacifica Hybrid Minivan Fire Hazard Co-lead Counsel	Class action against Fiat Chrysler/Stellantis alleging a defect in the design of Chrysler Pacifica hybrid minivans results in spontaneous fires while vehicle is parked and off Status: Motion to dismiss denied

General Motors CP4 Fuel
Pump Defect
Class Counsel

Class action alleging Chevy Silverado and GMC Sierra trucks with a Duramax diesel 6.6 V8 engine are equipped with a defective high-pressure fuel injection pump.
Status: Class certification granted

[VW Atlas Wiring Harness
Defect](#)

Co-Class Counsel

Class action accusing VW of a manufacturing defect in the door wiring harness of VW Atlas vehicles, allegedly causing vehicles' systems to malfunction
Status: Settlement granted preliminary approval

SECURITIES LITIGATION

Hagens Berman's total settlements in securities litigation valued at more than \$2.9 billion, and Steve's efforts in this area have helped to recover losses for millions of individuals who have been blindsided by instances of fraud and disinformation orchestrated by publicly traded companies.

CASE	DESCRIPTION
Plantronics, Inc. (NYSE: PLT) Co-Lead Counsel	Class action representing Plantronics investors seeking to recover damages caused by violations of the Securities Exchange Act of 1934 Status: Motion to dismiss denied
Vaxart, Inc. (NASDAQ: VXRT) Lead Counsel	Class action against Vaxart and controlling shareholder, Armistice, alleging claims under federal securities laws Status: \$12.015 million partial settlement reached
Zillow Group, Inc. (NASDAQ: Z, ZG) Lead Counsel	Class action alleging defendants falsely touted the durability and acceleration of Zillow Offers and improvements to pricing models Status: Motion to dismiss denied

RECENT SUCCESS

Steve Berman has achieved monumental settlements within the last two years, bringing hundreds of millions of dollars of relief to classes of everyday individuals affected by pricing schemes, automotive defects and other instances of wrongdoing. Through his recent case work, Steve maintains Hagens Berman's edge and excellence in class-action litigation.

CASE NAME	DATE	RECENT SUCCESS
NCAA Student-Athlete Name, Image and Likeness Co-Lead Counsel	10/10/24	\$2.78 billion settlement receives preliminary approval
Hyundai / Kia Car Theft Defect Co-Lead Counsel	10/01/24	Settlement receives final approval
Ford Super Duty Roof Crush	09/30/24	Court denies in part motion to dismiss
BMW X and 335d Diesel Emissions	09/25/24	Settlement receives final approval
USAA Bank Interest & Fees Class Counsel	09/06/24	Settlement granted preliminary approval
General Motors Duramax Emissions	08/22/24	Dismissal reversed by U.S. Court of Appeals

Amazon.com COVID-19 Price Gouging Consumer Litigation	08/08/24	Washington Supreme Court allows proposed class-action alleging price-gouging to move forward
Visa MasterCard ATM Co-Lead Counsel	07/26/23	\$197.5 million settlement with Visa and Mastercard receives preliminary approval
Seattle Children's Hospital Discrimination & Personal Injury Counsel	05/16/24	Motion to dismiss WLAD claim denied
Payback Class Counsel	05/13/24	Settlement receives final approval
Real Estate Commissions Antitrust Co-lead Counsel	04/23/24	\$418 million settlement with NAR receives preliminary approval
Hyundai / Kia Engine Fire Hazard Co-lead Counsel	04/09/24	Settlement receives final approval
NCAA/EA Video Games Likeness Co-lead Counsel	03/04/24	10,000 athletes revive EA College Football Videogame following NIL litigation
University of Washington College Tuition Payback	06/29/23	Class certification granted
Hyundai / Kia Hydraulic Electronic Control Unit (HECU) Fire Hazard	05/05/23	Settlement receives final approval
CP4 Fuel Pump Defect – GM/Ford/FCA	03/31/23	Motion to dismiss denied
Pork Antitrust Co-Lead Counsel	09/27/22	Settlement agreements reached
Amazon.com Consumer Fraud	09/14/22	California AG files similar case, echoing Hagens Berman's claims
Poultry Processing Wage-Fixing Antitrust Interim Co-Lead Counsel	07/19/22	Motions to dismiss denied

CAREER HIGHLIGHTS

Steve's career highlights encompass the top cases in world history both in their historical significance and in their monetary relief. Steve's total settlements are valued at more than \$316 billion, including the infamous Big Tobacco litigation of the 90s, and have had major national impact. Steve's career highlights include Enron pension protection, justice for victims of Harvey Weinstein, restitution for those affected by Volkswagen's Dieselgate scandal, the complete remaking of college sports compensation and more.

His career focus remains clear: steadfast representation for those most in need across the nation. Steve's cases have brought widespread benefit to classes of individuals spanning industries and decades. Lawsuits he has settled have reunited Hungarian Holocaust survivors with priceless family heirlooms, and also enacted major changes in youth soccer and NCAA sports to promote safety and minimize the risk of concussions. Below are Steve's outstanding career highlights.

CASE/ROLE	SETTLEMENT VALUE	NATIONAL IMPACT
State Tobacco Litigation Special Assistant Attorney General Representing 13 States	\$260 billion	Largest civil settlement in history The multi-state agreement required tobacco companies to pay the states \$260 billion and submit to broad advertising and marketing restrictions, leaving a lasting and widespread impact.
Visa Check/MasterMoney Antitrust Litigation Co-lead Counsel	\$25 billion	Largest antitrust settlement in U.S. history at the time Agreements with Visa and Mastercard secured relief valued at as much as \$25-87 billion, and injunctive relief reducing interchange rates, among other benefits.
Volkswagen/Porsche/Audi Emissions Scandal Plaintiffs' Steering Committee and Settlement Negotiating Team	\$14.7 billion	Largest ever brought against any automaker Hagens Berman's automotive legal team was the first to file in this historic lawsuit against Volkswagen for its emissions cheating and masking of harmful pollutants, culminating in a historic settlement.
Volkswagen Franchise Dealerships Lead Counsel	\$1.67 billion	The firm achieved a monumental settlement on behalf of Volkswagen dealerships across the U.S. blindsided by the automaker's emissions cheating, returning an average payment to each Dealer Settlement Class Member of approximately \$1.85 million.
Toyota Sudden, Unintended Acceleration Co-lead Counsel	\$1.6 billion	Largest automotive settlement in history at the time The firm did not initially seek to lead this litigation but was sought out by the judge for its wealth of experience in managing very complex class-action MDLs.
Hyundai / Kia Theta II GDI Engine Fire Hazard Settlement Co-lead Counsel	\$1.3 billion	The firm achieved a settlement in response to a defect in 4.1 million Hyundai and Kia vehicles equipped with Theta II GDI engines putting owners at risk for spontaneous, non-collision engine fires or premature engine failure.
Mercedes BlueTEC Co-lead Counsel	\$700 million	Spurred by the firm's success in the Volkswagen Dieselgate case, Steve independently tested diesel vehicles across manufacturers, uncovering additional instances of emissions-cheating, masked via illegal defeat devices.

Apple E-Books Antitrust Co-lead Counsel	\$568 million	This antitrust lawsuit alleged Apple and five of the nation's top publishers colluded to raise the price of e-books for U.S. consumers. Steve's litigation resulted in an unheard of recovery equal to twice consumers' actual damages. Apple took the case to the U.S. Supreme Court, where it denied Apple's request to review the case.
McKesson Drug Class Litigation Co-lead Counsel	\$350 million	Steve was named co-lead counsel in this action that led to a rollback of benchmark prices of hundreds of brand name drugs, and relief for third-party payers and insurers. His discovery of the McKesson scheme led to follow up lawsuits by governmental entities and recovery in total of over \$600 million.
Average Wholesale Price Litigation	\$338 million	Drug prices charged to consumers and payers across the nation are significantly more than the cost to produce them. In many cases, Big Pharma conspires with other companies to create these false profits. Hagens Berman has helped several classes of plaintiffs obtain multimillion-dollar judgments.
Enron Pension Protection Litigation Co-lead Counsel	\$250 million	Attorneys represented 24,000 Enron employees claiming the company recklessly endangered retirement funds, causing some employees to lose hundreds of thousands of dollars almost overnight, in a major economic milestone in U.S. history.
BoA Homeloans	\$250 million	Following the historic market crash in 2008, Hagens Berman filed this class action against Bank of America, Countrywide and LandSafe, alleging their collusion was in direct violation of the RICO Act and other laws.
McKesson Governmental Entity Class Litigation Lead Counsel	\$82 million	Steve was lead counsel for a nationwide class of local governments that resulted in a settlement for drug price-fixing claims.
JPMorgan Madoff Lawsuit	\$218 million	This historic settlement against JPMorgan involved three simultaneous, separately negotiated settlements totaling more than \$2.2 billion, in which Hagens Berman returned hundreds of millions of dollars on behalf of Bernard L. Madoff investors.
NCAA Athletic Grant-in-Aid Cap Antitrust Co-lead Counsel	\$208 million	Steve pioneered this historic case which forever changed NCAA sports and the lives of 53,748 class members. The case culminated in a \$208 million settlement regarding damages and injunctive relief secured through a unanimous U.S. Supreme Court decision in favor of plaintiffs. According to the Court, the NCAA "permanently restrained and enjoined from agreeing to fix or limit compensation or benefits related to education" that conferences or schools may make available. Schools are now allowed to provide benefits tethered to education up to \$6,000 annually

Apple iOS App Developers Class Counsel	\$100 million	Hagens Berman represented developers of iOS apps sold via Apple's App Store or featuring in-app sales, alleging the tech giant engaged in anticompetitive practices that harmed developers. The settlement brings important changes to App Store policies and practices. U.S. iOS app developers with less than \$1 million per year in proceeds from App Store sales through all associated developer accounts across the nation can receive hundreds to tens of thousands of dollars from the fund.
Google Play Store App Developers Co-lead Counsel	\$90 million	This antitrust class action accused Google of monopolizing its Play Store through anticompetitive policies, affecting small businesses across the nation. Attorneys for the class of roughly 43,000 Android app developers say some class members will likely see payments in the hundreds of thousands of dollar
Zuora Investor Fraud Lead Counsel	\$75.5 million	In a showcase of Steve's securities litigation expertise, this settlement achieved in 2023 provides significant relief to purchasers of the securities of Zuora across the U.S.
NCAA Concussions Lead Counsel	\$75 million	Hagens Berman served as lead counsel in this multidistrict litigation against the NCAA, achieving medical monitoring and injunctive relief in the form of changes to concussion management and return-to-play guidelines. The lawsuit alleged the institutions neglected to protect college athletes from concussions and their aftermath at schools across the country.
NCAA/Electronic Arts Name and Likeness Co-lead Counsel	\$60 million	This first-of-its-kind lawsuit ushered in the first time that hardworking college athletes saw some of the profits from the use of their likeness in video games. More than 24,000 individuals were eligible to receive payment, and checks were issued for up to \$7,600, with a median around \$1,100.
Harvey Weinstein Sexual Harassment	\$17.1 million	As the #MeToo movement hit a fever pitch moment, Hagens Berman's Steve Berman represented a class of those harmed by Harvey Weinstein, a kingpin of sexual harassment in Hollywood. The firm litigated the case through to bankruptcy proceedings in 2020.
Youth Soccer Concussions		Steve pioneered this first-of-its-kind lawsuit that ended heading for US Soccer's youngest players to diminish risk of concussions and traumatic brain injuries, changing the game for youth players across the U.S.

ACTIVITIES

- In April of 2021, the University of Michigan School for Environment and Sustainability (SEAS) launched the Kathy and Steve Berman Western Forest and Fire Initiative with a philanthropic gift from Steve (BS '76) and his wife, Kathy. The program will improve

society's ability to manage western forests to mitigate the risks of large wildfires, revitalize human communities and adapt to climate change. Steve studied at the School of Natural Resources (now SEAS) and volunteered as a firefighter due to his focus on environmental stewardship. *Read more »*

- In 2003, the University of Washington announced the establishment of the Kathy and Steve Berman Environmental Law Clinic. The Berman Environmental Law Clinic draws on UW's environmental law faculty and extensive cross-campus expertise in fields such as Zoology, Aquatic and Fishery Sciences, Forest Resources, Environmental Health and more. In addition to representing clients in court, the clinic has become a definitive information resource on contemporary environmental law and policy, with special focus on the Pacific Northwest.

RECOGNITION

- Antitrust Enforcement Award Honoree, American Antitrust Institute, 2018, 2019, 2021, 2024
- 500 Global Plaintiff Lawyers, Lawdragon, 2024
- 500 Leading Lawyers in America, Plaintiff Financial Lawyers, Lawdragon, 2023-2024
- 500 Leading Lawyers in America, Plaintiff Consumer Lawyers, Lawdragon, 2024
- Lawyer of the Year, Litigation, Securities Litigation, Best Lawyers, 2024
- The Best Lawyers in America, Antitrust Litigation, Best Lawyers, 2024
- The Best Lawyers in America, Securities Litigation, Best Lawyers, 2024
- The Best Lawyers in America, Plaintiffs Mass Tort Litigation/Class Actions, Best Lawyers, 2024
- The Best Lawyers in America, Plaintiffs Product Liability Litigation, Best Lawyers, 2024
- Legal Lion of the Week as part of the litigation team that achieved class certification in NCAA Student-Athlete Name, Image and Likeness, Law360, 2023
- Best Lawyers in America in Litigation, Securities and Product Liability Litigation, Plaintiffs and Other Areas of Note, 2023
- Washington Super Lawyers, 1999-2023
- Titan of the Plaintiffs Bar, Law360, 2018, 2020, 2022
- Leading Commercial Litigators, The Daily Journal, 2022
- Hall of Fame, Lawdragon, 2022
- Plaintiffs' Attorneys Trailblazer, The National Law Journal, 2017, 2022
- Sports & Entertainment Law Trailblazer, The National Law Journal, 2021
- Class Action MVP of the Year, Law360, 2016-2020
- Elite Trial Lawyers, The National Law Journal, 2014-2016, 2018-2019
- 500 Leading Lawyers in America, Lawdragon, 2014-2019
- State Executive Committee member, The National Trial Lawyers, 2018
- Class Actions (Plaintiff) Law Firm of the Year in California, Global Law Experts, 2017

- Finalist for Trial Lawyer of the Year, Public Justice, 2014
- One of the 100 most influential attorneys in America, The National Law Journal, 2013
- Most powerful lawyer in the state of Washington, The National Law Journal, 2000
- One of the top 10 plaintiffs' firms in the country, The National Law Journal

PRESENTATIONS

- Steve is a frequent public speaker and has been a guest lecturer at Stanford University, University of Washington, University of Michigan and Seattle University Law School.

PERSONAL INSIGHT

Steve was a high school and college soccer player and coach. Now that his daughter's soccer skills exceed his, he is relegated to being a certified soccer referee and spends weekends being yelled at by parents, players and coaches (as opposed to being yelled at by judges during the week). Steve is also an avid cyclist and is heavily involved in working with young riders on the international Hagens Berman Axeon cycling team.



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YEARS OF EXPERIENCE

34

PRACTICE AREAS

Antitrust Litigation
Class Action
Consumer Rights
Investor Fraud
Pharmaceutical Fraud
Securities
Tax Law

INDUSTRY EXPERIENCE

- Tobacco
- Online Travel Companies

BAR ADMISSIONS

- Arizona
- Washington

COURT ADMISSIONS

- U.S. Court of Appeals for the Ninth Circuit

EDUCATION

 **SEATTLE UNIVERSITY**
SCHOOL OF LAW
Seattle University School of Law,
J.D., cum laude, 1993

PARTNER

Christopher A. O'Hara

Mr. O'Hara plays a key role in working with notice and claims administrators on all the firm's class settlements and class notice programs.

CURRENT ROLE

- Partner, Hagens Berman Sobol Shapiro LLP
- Practice focuses on antitrust, consumer, tax and securities class actions
- Serves as plaintiffs' counsel in Hotel Occupancy Tax litigation against major online travel companies in various jurisdictions across the country
- Key role in working with claims administrators on all class settlements and class notice programs

NOTABLE CASES

- *Tobacco Litigation* (\$260 billion multi-state settlement)
- *Microsoft Antitrust Litigation* (20 individual state settlements totaling over \$2.7 billion)
- [*Toyota Unintended Acceleration Litigation*](#) (\$1.6 billion settlement)
- *In re Electronic Books Antitrust Litigation* (\$568 million in settlements)
- *In re Stericycle, Inc., Steri-Safe Contract Litigation* (\$295 million settlement)
- *Charles Schwab Yieldplus Funds Securities Litigation* (\$235 million settlement)
- *In re NCAA Athletic Grant-in-Aid Cap Antitrust Litigation* (\$208 million settlement)
- *In re Optical Disk Drive Antitrust Litigation* (\$180 million in settlements)
- *In re Animation Workers Antitrust Litigation* (\$168.95 million in settlements)
- *Expedia Hotel Taxes and Fees Litigation* (\$134 million settlement)
- *In re NCAA Student-Athlete Concussion Litigation* (\$75 million settlement and 50-year medical monitoring program)
- *In re Lithium Ion Batteries Antitrust Litigation* (\$65 million in settlements)
- [*NCAA/Electronic Arts Name and Likeness Litigation*](#) (\$60 million in settlements)

EXPERIENCE

- Cozen & O'Connor, Associate, 1993-1997
- Crowell & Moring, Paralegal, 1988-1990

RECOGNITION

- Rising Star, Washington Law and Politics, 2003

UNIVERSITY *of*
WASHINGTON

University of Washington, B.A.,
Political Science, French Language
and Literature, 1987

AWARDS



LANGUAGES

- French



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YEARS OF EXPERIENCE

16

PRACTICE AREAS

Antitrust Litigation

Class Action

High Tech Litigation

Sports Litigation

BAR ADMISSIONS

- California

COURT ADMISSIONS

- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Northern District of California
- U.S. District Court for the Eastern District of California

CLERKSHIPS

- Honorable Thomas M. Reavley, Fifth Circuit Court of Appeals

EDUCATION

TEXASLAW

The University of Texas School of Law, The University of Texas LBJ School of Public Affairs, J.D., M.P.A., Order of the Coif, High Honors, 2007 Articles Editor, Texas Law Review; Texas Law Review Best Litigation Note, Volume 85; Texas Law Public

OF COUNSEL

Benjamin J. Siegel

Mr. Siegel is an experienced litigator with a focus on antitrust law who has represented clients in state and federal courts, on appeals, as well as before arbitrators and governmental agencies, and has achieved significant settlements for clients.

CURRENT ROLE

- Of Counsel, Hagens Berman Sobol Shapiro LLP

RECENT CASES

- *In re College Athlete NIL Litigation*, No. 4:20-cv-03919 (N.D. Cal.)
- *Carter v. NCAA et al.*, No. 3:23-cv-06325 (N.D. Cal.)
- *In re Optical Disk Drive Prods. Antitrust Litigation*, No. 3:10-md-2143-RS (N.D. Cal.)
- *Bartron et al. v. Visa Inc. et al.*, 1:11-cv-01831 (D.D.C.)
- *In re NCAA Grant-In-Aid Antitrust Litigation*, 4:14-md-02541-CW (N.D. Cal.)
- *In re Resistors Antitrust Litigation*, 5:15-cv-03820-JD (N.D. Cal.)

EXPERIENCE

- Following his work at Boies, Schiller & Flexner LLP in 2008-2009, Mr. Siegel has litigated cases on behalf of plaintiffs for the past 14 years.

LEGAL ACTIVITIES

- Alameda County Bar Association

RECOGNITION

- Northern California Super Lawyers, 2024
- Legal Lion of the Week as part of the litigation team that achieved class certification in NCAA Student-Athlete Name, Image and Likeness, Law360, 2023
- Honoree for Outstanding Antitrust Litigation Achievement in Private Law Practice, American Antitrust Institute, 2021
- Rising Stars, Super Lawyers, 2018

PUBLICATIONS

- Constitutional Rights and the Counter-Majoritarian Dilemma, May 15, 2007 (unpublished Master's thesis, University of Texas at Austin)
- Benjamin Siegel, Note, "Applying a 'Maturity Factor' Without Compromising the Goals of the Class Action," 85 Texas Law Review 74, 2007

Interest Fellowship; LBJ
Foundation Award, First in Class

Yale University

Yale University, B.A. Political
Science, cum laude, Phi Beta
Kappa, 2000

AWARDS

Super Lawyers
RISING STARS

- Benjamin Siegel et al., “Beyond the Numbers: Improving Postsecondary Success through a Central Texas High School Data Center,” LBJ School of Public Affairs, Policy Research Report No. 148, 2005
- Benjamin Siegel, “California Must Protect Health Care for Medi-Cal Children,” 15 Youth Law News 1, 2004
- Jenny Brodsky, Jack Habib and Benjamin Siegel, “Lessons for Long-Term Care Policy, World Health Organization,” Publication No. WHO/NMH7CCL/02.1, 2002
- Jenny Brodsky, Jack Habib, Miriam Hirschfeld and Benjamin Siegel, “Care of the Frail Elderly in Developed and Developing Countries: the Experience and the Challenges,” 14 Aging Clinical & Experimental Research 279, 2002

PERSONAL INSIGHT

When not working to enforce the nation’s antitrust laws, Mr. Siegel enjoys spending time with his wife and three young children in his hometown of Oakland, California. He also likes playing softball and pick-up basketball with his friends.



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YEARS OF EXPERIENCE

9

PRACTICE AREAS

Antitrust Litigation
Class Action
Consumer Rights
Sports Litigation

BAR ADMISSIONS

- Washington

COURT ADMISSIONS

- U.S. District Court for the
Western District of Washington

EDUCATION



ASSOCIATE

Emilee Sisco

Ms. Sisco is an associate at Hagens Berman and practices in the areas of sports litigation, antitrust and consumer protection. As a former Division I athlete, she has worked on the firm's cases against the NCAA, furthering the rights of college-athletes across the nation.

CURRENT ROLE

- Associate, Hagens Berman Sobol Shapiro LLP

RECENT SUCCESS

- Namoff v. Fleishman & Shapiro, P.C. et al.*
- In re National Prescription Opiate Litigation*
- [*In re NCAA Athletic Grant-In-Aid Cap Antitrust Litigation*](#)
- [*In re General Motors LLC Ignition Switch Litigation*](#)

EXPERIENCE

- Law Clerk for Washington State Office of the Attorney General – Antitrust Division

LEGAL ACTIVITIES

- During 2L and 3L years in law school, Ms. Sisco was a fulltime volunteer intern for the WSBA Moderate Means Program. She volunteered more than 250 hours of pro bono service during law school.

RECOGNITION

- Legal Lion of the Week as part of the litigation team that achieved class certification in [*NCAA Student-Athlete Name, Image and Likeness*](#), Law360, 2023
- 2021, 2019 Honoree for Outstanding Antitrust Litigation Achievement in Private Law Practice, American Antitrust Institute

LANGUAGES

- Latin

PERSONAL INSIGHT

Ms. Sisco was a Division I volleyball athlete for the University of Oregon and University of Colorado. She was a member of the U.S. Women's Volleyball A3 team and was also a three-sport varsity athlete throughout high school, earning top 10 state finishes in two events at the WIAA Track & Field Championship.



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PRACTICE AREAS

Sports Litigation

INDUSTRY EXPERIENCE

- Sports Governance
- Sports Policy and Protocols

COURT ADMISSIONS

- U.S. District Court for the Western District of Washington

EDUCATION

SCHOOL OF LAW

UNIVERSITY of WASHINGTON

University of Washington School of Law, J.D., 2021, Order of Barristers



Seattle University, B.A. Political Science and Legal Studies, summa cum laude, 2015

ASSOCIATE

Stephanie A. Verdoia

Stephanie brings to the firm a deep knowledge of professional sports policies, protocols and governance to enrich Hagens Berman's robust sports law practice.

CURRENT ROLE

- Associate, Hagens Berman Sobol Shapiro LLP
- Ms. Verdoia's practice at the firm's Seattle office focuses primarily on sports litigation, where she applies her deep knowledge of sports governance, policies and protocols to bolster the firm's expansive work in this area of law.

EXPERIENCE

- Prior to joining Hagens Berman, Ms. Verdoia interned at Seattle's Legal Voice, where she researched legal issues regarding gender equality by analyzing the interplay between constitutional principles, recently enacted state statutes and prevailing precedent.
- Ms. Verdoia also interned with the legal department at Seattle Sounders FC, where she provided legal research and solutions responding to the evolving developments of the COVID-19 pandemic.

RECOGNITION

- Legal Lion of the Week as part of the litigation team that achieved class certification in NCAA Student-Athlete Name, Image and Likeness, Law360, 2023

ACTIVITIES

- Her additional experience in professional sports lends itself to the firm's sports litigation practice area. Ms. Verdoia has years of experience in the realm of professional soccer as a midfielder in Norway's Toppserien top division soccer and with the National Women's Soccer League (NWSL) both for the Boston Breakers and most recently the OL Reign (formerly known as Seattle Reign FC).
- During her time in these roles, she trained with the top NWSL team to enhance squad development with the Reign; led Norway's Vålerenga Fotbal Damer to the national championship game; and was one of only 36 women nationally drafted into the professional female league when she began her professional sports career in 2015 with the Boston Breakers.
- Ms. Verdoia has also served as a league representative, helping to take a leadership role in the sport by conducting conversation with key league figures to further players' interests and advance gender equity in sport. She also implemented working standards to create a safer environment and established a framework for a future players association.



PERSONAL INSIGHT

As a lifelong soccer player, Stephanie spends her free time coaching youth soccer teams at the OL Reign Academy. She also enjoys camping anywhere in the Pacific Northwest with her fiancé, Shane, and her dog, Stevie.

**ASSOCIATE****Meredith S. Simons**

Meredith uses her experience in antitrust law to advocate for consumers who have been overcharged by powerful corporations.

merediths@hbsslaw.com

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YEARS OF EXPERIENCE

7

BAR ADMISSIONS

- California

COURT ADMISSIONS

- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Central District of California

CLERKSHIPS

- Honorable Richard C. Tallman, Ninth Circuit Court of Appeals, 2017-2018

EDUCATION

Duke University School of Law,
J.D., summa cum laude, 2017



The UNIVERSITY of OKLAHOMA

University of Oklahoma, B.A. in
Philosophy and International
Studies, summa cum laude, 2009

CURRENT ROLE

- Associate, Hagens Berman Sobol Shapiro LLP

EXPERIENCE

- Before joining Hagens Berman, Meredith was an associate at a law firm where she represented clients ranging from startups to Fortune 100 companies in nationwide class actions and high-stakes intellectual property matters. In the course of those litigations, Meredith argued in state and federal court, took depositions, conducted discovery and drafted complaints and motions.
- Meredith served as a law clerk to the Hon. Richard C. Tallman of the Ninth Circuit Court of Appeals.
- Prior to law school, Meredith taught fourth grade in New Orleans as part of Teach for America. She also worked as a journalist; her work has appeared in publications including Slate, the Atlantic and the Washington Post.

PRO BONO

- At her previous firm, Meredith maintained an active and varied pro bono practice. She secured a permanent restraining order on behalf of a domestic violence victim, obtained a favorable result for an immigrant family in deportation proceedings, and advised a non-profit dance company on intellectual property issues.
- During law school, Meredith served as a court-appointed advocate for children in the Durham, North Carolina foster care system.

PERSONAL INSIGHT

Meredith was raised in Texas, which gives her a real appreciation for Seattle's beautiful summers. When she's not working, Meredith is enjoying Seattle's parks and beaches with her family.

TEAM

Hagens Berman Attorneys

At the core of our firm's success is the individual and collective strength of our legal team who offer unmatched expertise in a diverse range of industries and skillsets, including forensic accounting, technology and computing and more. Hagens Berman has expanded its roster of outstanding lawyers thoughtfully, emphasizing teambuilding and collaboration to give our cases the best opportunity to success through a network of diverse proficiencies.

ATTORNEY	OFFICE	TITLE	PRACTICE AREA(S)
Steve W. Berman	Seattle	Managing Partner	Antiterrorism, Automotive, Civil & Human Rights, Class Action, Consumer Rights, Emissions Litigation, Environmental Litigation, Governmental Representation, High Tech Litigation, Intellectual Property, Investor Fraud, Patent Litigation, Qui Tam, Securities, Sexual Abuse & Harassment, Sports Litigation, Whistleblower
Thomas M. Sobol	Boston	Partner & Executive Committee Member	Antitrust Litigation, Class Action, Consumer Rights, Pharmaceutical Fraud
Robert B. Carey	Phoenix	Partner & Executive Committee Member	Breach of Contract Claims, Class Action, High Tech Litigation, High Tech Litigation, Insurance Bad Faith, Personal Injury
Leonard W. Aragon	Phoenix	Partner	Appellate Advocacy, Class Action, Commercial Litigation, High Tech Litigation, Mass Torts, Personal Injury
Gregory T. Arnold	Boston	Partner	Antitrust Litigation, Personal Injury
Hannah Brennan	Boston	Partner	Antitrust Litigation, Civil & Human Rights, Class Action, Consumer Rights, Medical Devices, Pharmaceutical Fraud, RICO
Erin C. Burns	Boston	Partner	Antitrust Litigation, Class Action, Pharmaceutical Fraud
Elaine T. Byszewski	Los Angeles	Partner	Antitrust Litigation, Appellate Litigation, Class Action, Consumer Rights, Qui Tam
John DeStefano	Phoenix	Partner	Appellate Advocacy, Class Action, Commercial Litigation, Consumer Rights, Insurance Law
Jeannie Y. Evans	Chicago	Partner	Antitrust Litigation, Class Action, Consumer Rights, Data Breach, Privacy & Cybersecurity, Fraud, Investor Fraud, Securities
Rachel E. Fitzpatrick	Phoenix	Partner	Class Action, Complex Civil Litigation, Consumer Rights, Mass Torts, Personal Injury
Catherine Y.N. Gannon	Seattle	Partner	Antitrust Litigation, Class Action, Consumer Rights, Securities
Lucas E. Gilmore	Berkeley	Partner	Class Action, Investor Fraud, Securities
Ben Harrington	Berkeley	Partner	Antitrust Litigation, Class Action, Consumer Rights, Pharmaceutical Fraud
Anne F. Johnson	New York	Partner	Antitrust Litigation, Consumer Rights, Personal Injury, Pharmaceutical Fraud

Kristen A. Johnson	Boston	Partner	Antitrust Litigation, Class Action, Consumer Rights, Data Breach, Privacy & Cybersecurity, Pharmaceutical Fraud, RICO
Reed R. Kathrein	Berkeley	Partner	Class Action, Investor Fraud, Securities
Michella A. Kras	Phoenix	Partner	Class Action, Commercial Litigation, Complex Civil Litigation, High Tech Litigation, Personal Injury
Daniel J. Kurowski	Chicago	Partner	Antitrust Litigation, Class Action, Consumer Rights, Pharmaceutical Fraud, Sports Litigation
Robert F. Lopez	Seattle	Partner	Antitrust Litigation, Class Action, Complex Commercial Health Care Fraud, High Tech Litigation, Intellectual Property, Pharmaceutical Fraud, Privacy Rights, Qui Tam, Securities, Whistleblower
Jessica R. MacAuley	Boston	Partner	Antitrust Litigation, Consumer Rights, Pharmaceutical Fraud
Sean R. Matt	Seattle	Partner	Antitrust Litigation, Class Action, Consumer Right, Data Breach, Privacy & Cybersecurity, Emissions Litigation, Insurance, Investor Fraud, Products Liability, Securities
Martin D. McLean	Seattle	Partner	Civil & Human Rights, Insurance Bad Faith, Personal Injury, Public Records Act
Christopher A. O'Hara	Seattle	Partner	Antitrust Litigation, Class Action, Consumer Rights, Investor Fraud, Pharmaceutical Fraud, Securities, Tax Law
Abbye Klamann Ognibene	Boston	Partner	Antitrust Litigation, Class Action, Consumer Rights
Jerrold C. Patterson	Seattle	Partner	Antitrust Litigation, Automotive Litigation, Class Action, Racketeering
Rio S. Pierce	Berkeley	Partner	Antitrust Litigation, Class Action, Consumer Rights, High Tech Litigation
Christopher R. Pitoun	Los Angeles	Partner	Automotive Litigation, Civil & Human Rights, Class Action, Consumer Rights, Intellectual Property
Shana E. Scarlett	Berkeley	Partner	Antitrust Litigation, Class Action, Consumer Rights, High Tech Litigation
Craig R. Spiegel	Seattle	Partner	Antitrust Litigation, Consumer Rights, High Tech Litigation
Shayne C. Stevenson	Seattle	Partner	Appellate Litigation, Civil & Human Rights, Class Action, Securities, Whistleblower (Head of Practice), Anti-Money Laundering Act, CFTC, False Claims Act, IRS, SEC
Whitney Street	Boston	Partner	Antitrust Litigation, Pharmaceutical Fraud
Jessica Thompson	Seattle	Partner	Class Action, Consumer Rights, Emissions Litigation, Employment Litigation
Breanna Van Engelen	Seattle	Partner	Antitrust Litigation, Class Action, Consumer Rights
Mark Vazquez	Chicago	Partner	Class Action
Ted Wojcik	Seattle	Partner	Antitrust Litigation, Class Action, Environmental Litigation
Garth Wojtanowicz	Seattle	Partner	Class Action, Consumer Rights, Unfair Competition
Kevin K. Green	San Diego	Senior Counsel	Antitrust Litigation, Appellate, Consumer Rights, Investor Fraud

Barbara Mahoney	Seattle	Senior Counsel	Antitrust Litigation, Class Action, Consumer Rights, Intellectual Property, State False Claims
David P. Moody	Seattle	Senior Counsel	Civil & Human Rights, Personal Injury
Karl Barth	Seattle	Of Counsel	Class Action, Investor Fraud, Securities
Mark S. Carlson	Seattle	Of Counsel	Complex Litigation, High Tech Litigation, Intellectual Property, Misappropriation, Patent Litigation, Trademark and Trade Dress Infringement, Trade Secret
Laura Hayes	Boston	Of Counsel	Antitrust Litigation, Pharmaceutical Fraud
John D. Jenkins	Los Angeles	Of Counsel	Securities
Robert A. Jigarjian	Berkeley	Of Counsel	Class Action, Investor Fraud, Securities
James J. Nicklaus	Boston	Of Counsel	Antitrust Litigation
Hannah Schwarzschild	Boston	Of Counsel	Antitrust Litigation, Consumer Rights
Benjamin J. Siegel	Berkeley	Of Counsel	Antitrust Litigation, Class Action, High Tech Litigation, Sports Litigation
Shelby R. Smith	Seattle	Of Counsel	Civil & Human Rights, Class Action, Consumer Rights, Daycare/School Negligence, Nursing Home/Adult Family Home Negligence, Personal Injury, Privacy Rights, Social Work Negligence, Sports Litigation
Nathaniel A. Tarnor	New York	Of Counsel	Anti-Terrorism, Antitrust Litigation, Civil & Human Rights, Consumer Rights, Investor Fraud, Whistleblower
Dana Abelson	Seattle	Associate	Antitrust Litigation
Tory Beardsley	Phoenix	Associate	Consumer Rights, High Tech Litigation
Jacob Berman	Seattle	Associate	Class Action, Personal Injury
James M. Chong	Seattle	Associate	Personal Injury
Rachel Downey	Boston	Associate	Antitrust Litigation, Class Action, Consumer Rights, Pharmaceutical Fraud
Nathan Emmons	Chicago	Associate	Investor Fraud
Kelly Fan	Seattle	Associate	Antitrust Litigation
Rebekah Glickman-Simon	Boston	Associate	Antitrust Litigation, Class Action, Pharmaceutical Fraud
John M. Grant	Berkeley	Associate	Antitrust Litigation
William R. Kincaid	Seattle	Associate	Personal Injury
Joseph M. Kingerski	Seattle	Associate	Antitrust Litigation, Automotive Litigation
Raffi Melanson	Boston	Associate	Antitrust Litigation, Investor Fraud, Securities Litigation
Cooper E. Michael	Berkeley	Associate	Antitrust Litigation
Claudia Morera	Boston	Associate	Antitrust Litigation
Chris O'Brien	Boston	Associate	Class Action
Laura K. Pedersen	Berkeley	Associate	Antitrust Litigation, Consumer Rights
Abigail D. Pershing	Los Angeles	Associate	Antitrust Litigation, Civil & Human Rights, Environmental Litigation
Ryan T. Pittman	Seattle	Associate	Personal Injury
Daniel Polonsky	Boston	Associate	Antitrust Litigation, Class Action
Peter A. Shaeffer	Chicago	Associate	Securities Litigation

Alisa V. Sherbow	Phoenix	Associate	Class Action
Whitney K. Siehl	Chicago	Associate	Antitrust Litigation, Civil & Human Rights, Class Action, Employment Litigation, Personal Injury, Sexual Abuse & Harassment
Meredith S. Simons	Seattle	Associate	Antitrust Litigation, Class Action, Consumer Rights, Personal Injury
Emilee N. Sisco	Seattle	Associate	Antitrust Litigation, Class Action, Consumer Rights, Sports Litigation
Stephanie A. Verdoia	Seattle	Associate	Antitrust Litigation, Sports Litigation
Sophia Weaver	Boston	Associate	Antitrust Litigation, Class Action
Lauriane Williams	Boston	Associate	Pharmaceutical Fraud
Abby Wolf	Berkeley	Associate	Antitrust Litigation
Jongguk Choi	Seattle	Staff Attorney	Class Action
Audley H. Fuller	Boston	Staff Attorney	Antitrust Litigation, Class Action
Helen Y. Hsu	Seattle	Staff Attorney	Antitrust Litigation, Price-fixing Cases
Jeffrey A. Lang	Seattle	Staff Attorney	Antitrust Litigation, Consumer Rights, Investor Fraud, Pharmaceutical Fraud, Securities
John H.R. Lanou	Berkeley	Staff Attorney	Antitrust Litigation
Jessica Liang	Seattle	Staff Attorney	Antitrust Litigation
Allan Lundsgaarde	Seattle	Staff Attorney	Class Action
Jay Mitchell	Seattle	Staff Attorney	Class Action, Intellectual Property
Joshua Portney	Boston	Staff Attorney	Antitrust Litigation, Pharmaceutical Fraud
Matthew Rovner	Seattle	Staff Attorney	Class Action
Patrick Ryan	Seattle	Staff Attorney	Antitrust Litigation, Class Action
Jason Stowe	Seattle	Staff Attorney	Class Action
Zachary Stump	Seattle	Staff Attorney	Class Action

ABOUT THE FIRM

Notable Firm Success

TOTAL FIRM SETTLEMENTS VALUED AT \$320 BILLION

While many of our firm's cases harnessed litigation's power of pinpointed problem solving, Hagens Berman's track record of victories spans national issues and brings widespread relief to some of the largest classes ever certified in U.S. history. Our attorneys' career highlights encompass the top cases in world history, both in their historical significance and in their monetary relief, and include the infamous Big Tobacco litigation of the 90s, Enron pension protection, justice for victims of Harvey Weinstein, restitution for those affected by Volkswagen's Dieselgate scandal and more. Since our founding, our firm has made a difference in some of the most momentous and important moments in history.

\$260 Billion

State Tobacco Litigation

Hagens Berman represented 13 states prosecuting major actions against Big Tobacco. The settlement led to a multistate settlement requiring the tobacco companies to pay the states and submit to advertising and marketing restrictions. It was the largest civil settlement in history.

\$25 Billion

Visa Check/MasterMoney Antitrust Litigation

The firm served as co-lead counsel in what was then the largest antitrust settlement in history. The class-action lawsuit alleged that Visa and MasterCard engaged in an anticompetitive scheme to monopolize the debit card services market and charge merchants artificially inflated interchange fees by tying merchant acceptance of their debit card services, Visa Check and MasterMoney, to merchant acceptance of their credit card services. Settlements secured categories of relief that court decisions valued at as much as \$25-87 billion.

\$14.7 Billion

Volkswagen Emissions Litigation

Hagens Berman was named a member of the plaintiffs' steering committee and part of the settlement negotiating team in this monumental case that culminated in the largest automotive settlement in history. The firm was the first law firm to file against Volkswagen regarding its Dieselgate emissions-cheating scandal.

\$1.6 Billion

Toyota Unintended Acceleration Litigation

Hagens Berman served as co-lead counsel and secured what was then the largest automotive settlement in history in this class action that recovered \$1.6 billion for vehicle owners.

\$1.6 Billion

Volkswagen Franchise Dealers Emissions

The firm served as lead counsel representing VW franchise dealers in this lawsuit related to VW's Dieselgate scandal. The settlement recovered nearly full damages for the class.

\$1.45 Billion

Meracord Consumer Litigation

The firm secured a default judgment on behalf of consumers for a useless debt-settlement conspiracy, following years of plaintiff victories in the case. Hagens Berman filed its lawsuit in 2011, on behalf of consumers nationwide, claiming the company violated Washington law and the federal Racketeer Influenced and Corrupt Organizations Act.

\$1.3 Billion

Hyundai Kia Theta II GDI Fire Hazard Litigation I

Hagens Berman is co-lead counsel in this case accusing automakers of selling vehicles with failure-prone engines that could sometimes catch fire. The case is still pending litigation pertaining to other affected models.

\$700 Million**Mercedes BlueTEC Emissions Litigation**

A monumental settlement was reached on behalf of owners of Mercedes vehicles affected by Daimler's emissions cheating. The case was initially filed and researched by Hagens Berman, based on the firm's independent vehicle testing, and the firm served as co-lead counsel. The consumer settlement followed a \$1.5 billion settlement between Mercedes and the U.S. Justice Department and California Air Resources Board. The settlement includes an \$875 million civil penalty for violating the Clean Air Act.

\$700 Million**Washington Public Power Supply System Securities Litigation**

Hagens Berman represented bondholders and the trustee in a class action stemming from the failure of two nuclear projects. Plaintiffs were awarded a \$700 million settlement.

\$616 Million**Apple E-Books Antitrust Litigation**

Hagens Berman served as co-lead counsel against Apple and five of the nation's largest publishing companies and secured a combined \$616 million settlement, returning class members nearly twice their losses in recovery, following the firm's victory over Apple after it appealed the case to the U.S. Supreme Court.

\$453 Million**Glumetza Antitrust Litigation**

The court denied summary judgment and paved the way for trial in this litigation against brand and generic manufacturers of the diabetes drug Glumetza. Hagens Berman served as co-lead counsel for the direct purchaser class. U.S. District Judge William Alsup approved \$453.85 million in settlements resolving direct purchasers' allegations. The result was the largest antitrust recovery to receive final approval in 2022.

\$383.5 Million**DaVita Healthcare Personal Injury Litigation**

A Denver jury awarded a monumental \$383.5 million verdict to families of three patients who died after receiving dialysis treatments at DaVita clinics.

\$385 Million**Suboxone Antitrust**

Hagens Berman was co-lead counsel in this pharmaceutical antitrust class action alleging defendants violated federal antitrust laws by delaying generic competition for its blockbuster opioid addiction medicine, Suboxone.

\$340 Million**Ranbaxy Inc. Antitrust**

Hagens Berman served as co-lead counsel representing Meijer Inc. and Meijer Distribution Inc. in a class-action lawsuit against drugmaker Ranbaxy. The lawsuit alleged it recklessly stuffed the generic drug approval queues with grossly inadequate applications and deceiving the FDA into granting tentative approvals to lock in statutory exclusivities to which Ranbaxy was not entitled. Ranbaxy then excluded competition at the expense of U.S. drug purchasers. The settlement was part of a \$485 million settlement for all plaintiffs. The result was the second largest antitrust recovery to receive final approval in 2022.

\$338 Million**Average Wholesale Price Drug Litigation**

Hagens Berman was lead counsel in this groundbreaking drug pricing case against the world's largest pharmaceutical companies, resulting in a victory at trial. The court approved a total of \$338 million in settlements.

\$218 Million**JP Morgan Madoff Investor Fraud Litigation**

Hagens Berman settled this case on behalf of Bernard L. Madoff investors in a suit filed against JPMorgan Chase Bank, its parents, subsidiaries and affiliates. The settlement against JPMorgan involved three simultaneous, separately negotiated settlements totaling more than \$2.2 billion.

\$215 Million**USC, DR. George Tyndall Sexual Abuse & Harassment**

The firm served as co-lead counsel and secured a \$215 million settlement on behalf of a class of thousands of survivors of sexual assault against the University of Southern California and its Dr.

George Tyndall, the full-time gynecologist at USC's student health clinic.

\$208 Million

NCAA Scholarship Cap Antitrust Litigation

Hagens Berman was co-lead counsel in the damages portion of this historic antitrust class action claiming the NCAA unlawfully capped the value of athletic scholarships. In a historic ruling, the U.S. Supreme Court unanimously upheld a trial victory regarding the injunctive portion of the case securing monumental improvements for college athletes, and forever changing college sports. Steve Berman served as trial counsel.

\$205 Million

Optical Disc Drives (ODD) Antitrust Litigation

Hagens Berman served as lead counsel on behalf of consumers in a lawsuit filed against Philips, Pioneer and others for artificially inflating the price of ODDs.

\$200 Million

New England Compounding Pharmacy Meningitis Outbreak Litigation

Hagens Berman attorneys served as lead counsel for the plaintiffs' steering committee on behalf of plaintiff-victims of the 2012 fungal meningitis outbreak that led to more than 64 deaths and hundreds of joint infection cases.

\$181 Million

Broiler Chicken Antitrust Litigation

Hagens Berman serves as interim class counsel in a case against Tyson, Purdue and 16 other chicken producers for allegedly conspiring to stabilize chicken prices by reducing production. The firm continues to litigate the case against remaining defendants.

\$169 Million

Animation Workers Antitrust Litigation

Hagens Berman was co-lead counsel for a class of approximately 10,000 animators and other artistic workers in an antitrust class action against Pixar, DreamWorks, The Walt Disney Company, Sony and others for allegedly conspiring to restrain competition and suppress industry wages. A \$169

million settlement resulted in a payment of more than \$13,000 per class member.

\$125 Million

Pharmaceutical AWP Litigation

Hagens Berman was lead counsel against 11 pharmaceutical companies, including Abbott Laboratories and Watson Pharmaceuticals, resulting in multiple settlements between 2006 and 2012. Defendants agreed to pay \$125 million in a nationwide settlement for intentionally inflating reports of the average wholesale prices (AWP) on certain prescription medications.

\$100 Million

Apple iOS App Store Antitrust Litigation

In this lawsuit against Apple, the firm served as interim lead counsel in this matter and represented U.S. iOS developers against the tech giant. The suit accused Apple of monopolizing distribution services for iOS apps and in-app digital products, allegedly resulting in commission overcharges. Apple agreed to pay \$100 million and make developer-friendly changes to its App Store policy.

\$95 Million

AppleCare Consumer Litigation

This class action secured compensation for iPhone, iPad and iPod owners who bought AppleCare or AppleCare+ coverage. The suit accused Apple of using inferior, refurbished or used parts in device replacements, despite promising to provide consumers with a device "equivalent to new in performance and reliability," and Hagens Berman reached a settlement with the tech giant in April 2022, resolving these claims.

\$90 Million

Google Play Store App Developers Antitrust Litigation

The firm filed a class action on behalf of Android app developers for violating antitrust laws by allegedly illegally monopolizing markets for Android app distribution and in-app payment processing. A \$90 million settlement has been preliminarily approved.

ABOUT THE FIRM

Record-Breaking Achievements

Hagens Berman's caseload is home to many superlatives, including the largest settlement in world history, and at the time the largest automotive, antitrust, ERISA and securities settlements in U.S. history, as well the record-breaking recoveries and class certifications, spanning across the country. The firm's attorneys have brought many cases that have pioneered case law, securing first-of-its-kind successes.

CASE NAME	SETTLEMENT AMOUNT	RECORD-BREAKING ACHIEVEMENT
State Tobacco Litigation <i>Special Assistant Attorney General</i>	\$260 Billion	The largest civil settlement in history.
Visa Check/MasterMoney Antitrust Litigation <i>Co-Lead Counsel</i>	\$25 Billion	The largest antitrust settlement in history at the time.
VW/Porsche/Audi Emissions <i>Plaintiffs' Steering Committee</i>	\$14.7 Billion	Hagens Berman was the first firm to file, and it is the largest automotive settlement in history.
VW Franchise Dealerships <i>Lead Counsel</i>	\$1.6 Billion	The settlement recovered nearly full damages.
Toyota Sudden, Unintended Acceleration (SUA) <i>Co-Lead Counsel</i>	\$1.6 Billion	The Toyota SUA settlement was the largest automotive settlement in history at the time , only to be surpassed by the firm's later \$14.7 billion settlement with Volkswagen for its Dieselgate scandal.
Washington Public Power Supply System	\$700 Million	The case was one of the most complex and lengthy securities fraud cases ever filed. The default was one of the largest municipal bond defaults in history. After years of litigation, plaintiffs were awarded a settlement agreement brought against more than 200 defendants.

Daimler Mercedes BlueTEC Emissions <i>Co-Lead Counsel</i>	\$700 Million	This case was largely the result of managing partner Steve Berman's foresight. When news of the Volkswagen emissions-cheating scandal broke, the firm purchased a Mercedes and an emissions testing machine and hired a team of experts to conduct independent testing.
Apple E-Books Antitrust Litigation <i>Co-Lead Counsel</i>	\$616 Million	This settlement returned nearly twice their losses to class members.
Glumetza <i>Co-Lead Counsel</i>	\$453 Million	The largest antitrust recovery to receive final approval in 2022.
DaVita Healthcare Partners Personal Injury <i>Counsel</i>	\$383 Million	The largest verdict in medical malpractice litigation of 2018.
First Databank	\$350 Million	The settlement created a 4 percent price reduction in all retail drugs, among other benefits.
Ranbaxy Inc. Antitrust <i>Co-Lead Counsel</i>	\$340 Million	The second largest antitrust recovery to receive final approval in 2022.
Enron ERISA <i>Co-Lead Counsel</i>	\$250 Million	The largest ERISA settlement in history at the time.
Aequitas Capital Management <i>Co-Lead Counsel</i>	\$234 Million	Believed to be the largest securities settlement in Oregon history.
NCAA Athletic Grant-in-Aid Cap Antitrust <i>Co-Lead Counsel</i>	\$208 Million	In a historic ruling, the U.S. Supreme Court unanimously upheld a trial victory regarding the injunctive portion of the case securing monumental improvements for college athletes, and forever changing college sports.
Expedia Hotel Taxes & Fees Litigation	\$123 Million	The largest consumer class-action settlement in the state of Washington at the time.
Apple iOS App Developers <i>Class Counsel</i>	\$100 Million	In addition to a \$100 million settlement in the case, Apple agreed to make pro-developer changes to its app store policies and reduce the commission it charged small developers by 50% for a period of three years.

Boeing	\$92 Million	The second largest settlement in the Northwest at the time.
City of Sycamore Water Contamination		The litigation revealed problems with the city's infrastructure (that were leading to nonexistent chlorine levels in parts of the city), and the lawsuit led the city to replace most lead service lines throughout town, and the infrastructure improvements should benefit residents for decades to come.
Broilers Chicken Antitrust <i>Co-Lead Counsel</i>	<i>\$181 million preliminarily approved, class certification granted</i>	This litigation alleges that the nation's largest broiler chicken producers conspired to fix the price of chicken for consumers by up to 50 percent. The firm estimates that the recent class certification, comprising every American who purchased chicken from a grocery store, may represent the largest class certification in U.S. history.

ABOUT THE FIRM

Awards

Outstanding Antitrust Litigation Achievement Honoree

AMERICAN ANTITRUST INSTITUTE

*Cameron et al v. Apple**In re NCAA Athletic
Grant-in-Aid Cap**Edwards v. National Milk
Producers Federation*

<p>Top Verdict of the Year <i>EA/Madden NFL Video Game Development</i> THE DAILY JOURNAL</p>	<p>Antitrust Practice Group of the Year LAW360</p>
<p>Most Feared Plaintiffs Firms LAW360</p>	<p>Class Action Practice Group of the Year LAW360</p>
<p>Elite Trial Lawyer Litigation Firm of the Year THE NATIONAL LAW JOURNAL</p>	<p>Top 10 Plaintiffs' Firms in the Country THE NATIONAL LAW JOURNAL</p>
<p>The Best Law Firms in America BEST LAWYERS</p>	<p>Leading Plaintiff Consumer Lawyers in America LAWDRAGON</p>
<p>MVP of the Year Award Class Action LAW360</p>	<p>500 Global Plaintiff Lawyers LAWDRAGON</p>

ABOUT THE FIRM

Accolades

“[A] clear choice emerges. That choice is the Hagens Berman firm.”

— *U.S. District Court for the Northern District of California, In re Optical Disk Drive Products Antitrust Litigation*
Appointing the firm lead counsel in the case which would later usher in \$205 million in settlements.

“Landmark consumer cases are business as usual for Steve Berman.”

— *The National Law Journal*, naming Steve Berman one of the 100 most influential attorneys in the nation for the third time in a row

“Berman is considered one of the nation’s top class action lawyers.”

— *Associated Press*

“unprecedented success in the antitrust field”

— *California Magistrate Judge Nathanael M. Cousins*
A July 2015 order awarding attorneys’ fees in student-athlete name and likeness litigation

“All right, I think I can conclude on the basis with my five years with you all, watching this litigation progress and seeing it wind to a conclusion, that the results are exceptional... You did an exceptionally good job at organizing and managing the case...”

— *U.S. District Court for the Northern District of California, In re Dynamic Random Access Memory Antitrust Litigation*
Hagens Berman was co-lead counsel and helped achieve the \$406 million class settlement.

“aggressive and independent advocacy”

— *Hon. Thomas M. Durkin in an order appointing Hagens Berman as interim class counsel in In re Broiler Chicken Antitrust Litigation*

“Class counsel has consistently demonstrated extraordinary skill and effort.”

— *Hon. James Selna, Central District of California, In Re: Toyota Motor Corp. Unintended Acceleration Marketing, Sales Practices, And Products Liability Litigation*
The firm was appointed co-lead counsel without submitting to lead the case, and later achieved what was then the largest settlement in history brought against an automaker – \$1.6 billion.

“...I have never worked with such professional, decent counsel.”

— *Hon. Dennis M. Cavanaugh, United States District Judge (Retired), Transcript Of Proceedings Fairness Hearing for In Re Mercedes-Benz Emissions Litigation*
Hagens Berman helped secure a \$700 million settlement for class members and served as co-lead counsel.

“...This result...puts significant money into the pockets of all of the class members, is an excellent result. ...I’ve also looked at the skill and quality of counsel and the quality of the work... and find that to have been at a high level.”

— Hon. Beth Labson Freeman, United States District Judge, Final Approval of Settlement Hearing for Dean Sheikh et al v. Tesla, Inc.

“...respective clients certainly got their money’s worth with these attorneys and the work that they did on their behalf. ...Plaintiffs did an excellent job on behalf of their clients in this case.”

— Hon. Dennis M. Cavanaugh, United States District Judge (Retired)
Proceedings Fairness Hearing for In Re Mercedes-Benz Emissions Litigation

“Class Member reaction to the Mercedes Settlement is overwhelmingly positive.”

— Hon. Dennis M. Cavanaugh (Ret.) Special Master, In Re Mercedes-Benz Emissions Litigation

“I will reiterate that class counsel has demonstrated over many years, superior experience and capability in handling class actions of this sort.”

— Hon. Beth Labson Freeman, United States District Judge, Final Approval of Settlement Hearing for Dean Sheikh et al v. Tesla, Inc.

“Plaintiffs have zealously litigated this case on behalf of the class over the course of eight years...the reaction of the class members has been overwhelmingly positive.”

— Hon. Jeffrey S. White
Order finalizing \$28 million settlement in a class action against Schneider National Carriers Inc.

ABOUT THE FIRM

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